PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 528 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
SIXTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2010–2012

COMPRISING PERIOD
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16 May 2011

THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 18 MAY 2010]

SIXTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 528**

NINETEENTH VOLUME OF SESSION 2010-2012

House of Commons

Monday 16 May 2011

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

NEW WRIT

Ordered,

That the Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in the present Parliament for the constituency of Belfast West in the room of Mr Gerry Adams, who since his election has been appointed to the Office of Steward and Bailiff of Her Majesty's Manor of Northstead in the County of York.—*(Mr McLoughlin.)*

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Royal Navy (Libya)

1. **Miss Anne McIntosh** (Thirsk and Malton) (Con): What assessment he has made of Royal Navy requirements in the context of the military action in Libya. [55354]

The Parliamentary Under-Secretary of State for Defence (Peter Luff): Before answering my hon. Friend's question, I am sure the whole House will want to join me in paying tribute to Warrant Officer Class 2 Graham Bean of 73 Engineer Regiment (Volunteers) who died on 3 May while serving in Cyprus on Operation Tosca with the United Nations peacekeeping force based in Nicosia. He had a long and successful career in the British Army for over 35 years. Our thoughts and prayers are with his friends and family. Our thoughts are also with the family and friends of the Royal Marine from 42 Commando who was killed by an improvised explosive device in Afghanistan yesterday. More information will be released shortly after the period of grace requested by his family.

Our assessment of the Royal Navy's requirements was set out in the strategic defence and security review. Events in Libya have confirmed the review's recognition of the need to retain naval forces at high readiness for operations.

Miss McIntosh: I join my hon. Friend in paying tribute to the recently fallen; we will remember them.

Will my hon. Friend join me in paying tribute to the ship's company of the frigate HMS Cumberland, with whom a number of us were able to stay as part of the armed forces parliamentary scheme? Will he take the opportunity to update us on the question of which frigate has replaced HMS Cumberland for the essential duties she has so far performed in assisting off the coast of Libya?

Peter Luff: Speaking as someone who has done two tours of duty with the armed forces parliamentary scheme, I know how deep are the bonds of loyalty that can be formed with ships' companies after such experiences. HMS Cumberland and her crew performed superbly in the initial stages of the Libya operation, evacuating British and other foreign nationals from Benghazi and undertaking enforcement operations in support of UN Security Council resolution 1973. She has now been withdrawn from service and her role off Libya has been taken up by the destroyer, HMS Liverpool.

Libya

2. **Grahame M. Morris** (Easington) (Lab): What recent assessment he has made of the security situation in Libya; and if he will make a statement. [55356]

3. **Mr William Bain** (Glasgow North East) (Lab): What recent assessment he has made of the security situation in Libya; and if he will make a statement. [55357]

The Secretary of State for Defence (Dr Liam Fox): While NATO's airstrikes have been successful in reducing Colonel Gaddafi's ability to attack his people, he continues to target civilians in clear contravention of UN Security Council resolutions and international law. The UK has 23 aircraft and two naval vessels committed to the NATO-led operation. These continue to provide vital capability in support of UN Security Council resolution 1973.

Grahame M. Morris: I would like to associate myself and my hon. Friends with the remarks made by the Under-Secretary of State for Defence, the hon. Member for Mid Worcestershire (Peter Luff), about those brave service personnel who sadly lost their lives in service of their country.

On the Secretary of State's answer, in view of concerns expressed, not least by the joint chiefs, about the affordability and sustainability of the UK's continued military operation in Libya, will he advise us of what further diplomatic efforts are being pursued to find a non-military solution to the current conflict?

Dr Fox: There is a very clear non-military solution to the current conflict: Colonel Gaddafi could stop attacking the civilian population in Libya. Until he does so, the international community will continue the military action, which we believe to be affordable and sustainable at the present time.

Mr William Bain (Glasgow North East) (Lab): Does the Secretary of State share the assessment of Lady Amos that the bombardment of Misrata and the western mountain regions has led to an unacceptable situation in which aid convoys are unable to get the water, medicine and food that the people of these areas need? What further pressure can be put on the Gaddafi regime to stop this intolerable bombing and shelling?

Dr Fox: I am grateful for the hon. Gentleman's support. In recent days, we have made it very clear through NATO that we intend to continue to degrade Colonel Gaddafi's command and control capability, including his intelligence network. The regime needs to understand loud and clear that the international community is very resolute: it will continue its military activity as long as this absolutely unacceptable slaughter of the civilian population continues. I hope that the whole House will also be resolute in sending out a very clear message on that front.

Mr Edward Leigh (Gainsborough) (Con): Will my right hon. Friend confirm that, notwithstanding what the Chief of Defence Staff said over the weekend, our mission in Libya is humanitarian, and is about seeking a ceasefire and not about regime change?

Dr Fox: Security Council resolution 1973 authorised the use of force for three different purposes: enforcement of the arms embargo, enforcement of a no-fly zone over Libya, and the protection of civilians. Those are the clear delineations of our mission, and all the activities in which we have engaged, including our target sets, have fallen within the requirements of resolution 1973.

Richard Ottaway (Croydon South) (Con): The Secretary of State is reported to have endorsed, over the weekend, General Richards's call for an enlargement of the number of targets in Libya to include infrastructure targets. Has he received a legal opinion that that conforms with resolution 1973?

Dr Fox: I confirmed over the weekend that NATO is continually reassessing the target sets within the targeting directive, which itself follows from resolution 1973. We believe that at all times the target-setting has been well within the requirements of that resolution, and I take responsibility for the setting, observation and implementation of targets very seriously indeed.

Mr Jim Murphy (East Renfrewshire) (Lab): The Secretary of State will know that we are committed to a bipartisan approach on Libya. I join the Under-Secretary of State for Defence, the hon. Member for Mid Worcestershire (Peter Luff), in his condolences and prayers for the family of one officer, Graham Bean, and the as yet unnamed Royal Marine.

The men and women of the Royal Navy and the Royal Air force have done remarkable work in and around Libya. However, may I ask the Secretary of State about the comment by the First Sea Lord that if operations around Libya were to last longer than six months, a significant "challenge" would be created? Does the Secretary of State agree with that assessment, and what military advice has he received about maintaining the current UK tempo of military activity beyond those six months?

Dr Fox: I am grateful for the right hon. Gentleman's support, but, as he is well aware, contingency planning goes on because we do not know how long Colonel Gaddafi will continue his resistance to international opinion and in the face of international law. We will continue to look at the range of contingencies, but we all hope that Colonel Gaddafi will recognise that the game is up either sooner or later—hopefully sooner—so that the cost, in terms not just of money but, more important, of lives, is minimised in the months ahead. We will look at all contingencies, but it is important to recognise that we are resolute and that the work of the international community, whose military leaders met at the weekend, will not cease until the task is properly carried out.

Mr Murphy: I welcome that response, but today's newspapers report further MOD cuts and the fact that the MOD is undertaking a three-month internal spending review. The Secretary of State says ,"We will look at all contingencies", but in the light of those reports, the events in Libya and the rest of north Africa, and the further events that are spreading across the middle east, should he not finally agree with Lord Ashdown, General Dannatt, the Army Families Federation and most members of the defence community that now is the time to reopen the rushed and increasingly discredited Government defence review?

Dr Fox: Those who wish us to reopen the strategic defence and security review, and who are looking at the same real world and at the same financial constraints, need to tell us whether they would provide a larger defence budget. If they continue with the same assumptions in the same real world but do not increase the budget, they will see the same outcome because they will be under the same constraints. Perhaps the right hon. Gentleman will finally tell us whether Labour intends to retain the same defence budget or to reduce the defence budget, because that is the key element in the equation.

Defence Procurement

4. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What his policy is on the use of defence procurement to support and stimulate advanced manufacturing. [55358]

The Parliamentary Under-Secretary of State for Defence (Peter Luff): Advanced manufacturing industry in the UK makes such an important contribution to defence and the armed forces. We have recently concluded public consultation on the Green Paper "Equipment, Support and Technology for UK Defence and Security", in which we make it clear that the purpose of defence procurement is to deliver the capabilities that the armed forces need, now and in the future. We will set out our future policy on the issue in a White Paper later in the year.

Chi Onwurah: Last month BAE Systems announced 100 job losses at its plant in Scotswood, Newcastle. As well as devastating families, those job losses will reduce our advanced engineering skills base. What specific measures is the Minister taking to ensure that procurement supports skills that are essential to our national infrastructure, and how do they sit with the Government's policy of buying off the shelf without taking industrial needs into account?

Peter Luff: The hon. Lady tempts me to pre-judge the outcome of my own consultation, which I must not do, but let me say this: I share her passion for advanced manufacturing and I again pay tribute to its role in defence. We are committed to both a vigorous promotion of exports and boosting UK defence companies in the UK, and to boosting the work of small and medium-sized enterprises, which are innovative and bring new ideas and skills to defence. We are also committed to maintaining the science budget, as called for in response to our consultation by all those advanced manufacturing companies of which she spoke. We are doing a lot to help advanced manufacturing, but the hon. Lady will have to be a little more patient and wait until the White Paper is published.

Mr James Arbuthnot (North East Hampshire) (Con): Does my hon. Friend agree that Government spending on defence research and technology is absolutely essential for maintaining the battle-winning edge for our armed forces in 25 years' time? Does he also agree that if there is a reduction in defence research because of short-term budget pressures, the long-term effect will be very great indeed?

Peter Luff: My right hon. Friend will not be surprised to hear that I could not agree more. I can confirm what I have said to him in the past: the budget for science and technology will increase in cash terms over the comprehensive spending review period. However, I share his enthusiasm about ensuring that we maintain future capabilities as well. It is very important that the science budget is not simply focused on current operations. It must be forward looking, too, to ensure that we have the capabilities that we need.

Michael Dugher (Barnsley East) (Lab): The Minister will be aware that there is considerable concern that the Government might be planning to announce an extremely limited definition of what constitutes sovereign capability in their forthcoming White Paper, meaning that in many important sectors the Government will retreat to their default position and, to quote the Government's Green Paper,

> "to buy off-the-shelf where we can".

Will the Minister assure the House that the White Paper will be an opportunity to set a clear strategy to use defence procurement to support our manufacturing base, in particular the intellectual property here in the United Kingdom, thus recognising the contribution that defence makes to the wider economy?

Peter Luff: I cannot give the hon. Gentleman that specific assurance. Defence money is for defence purposes, but I share his enthusiasm for the defence industrial base. I understand exactly what he says. We will be scrupulously honest with the British people and UK defence companies. I am afraid that although the previous defence industrial strategy was immensely popular, it did not have the money to match its promises. We will deliver what we promise.

Council Tax Rebates

5. **Alun Michael** (Cardiff South and Penarth) (Lab/Co-op): Whether he has discussed with the Secretary of State for Communities and Local Government the merits of a council tax rebate for members of the armed forces who are serving overseas. [55359]

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): The Government recognise the value of council tax rebates for many members of the armed forces. My right hon. Friend the Secretary of State for Defence will make an announcement to the House on this matter later today.

Alun Michael: I am grateful to the Minister for that response. One constituent who raised the question with me was not looking for blanket discretion for all deployments, but said that there was some resentment among those deployed to places such as Afghanistan and Iraq when they found that different local authorities exercised their discretion in different ways. Will the Minister encourage consistency and generosity in this matter?

Mr Robathan: I am delighted to be able to agree with the right hon. Gentleman. We would encourage consistency. I will not pre-empt what the Secretary of State will say at 3.30 pm. *[Interruption].* I will not pre-empt what the Secretary of State will say at 3.30 pm. However, if people are in receipt of the deployed welfare package, they get council tax relief, which is paid for by the Ministry of Defence. What local councils do at the moment is up to them. We encourage them to give due discretion where possible and to assist our members deployed on operations overseas.

Security Situation (Pakistan and Afghanistan)

6. **Mr David Hanson** (Delyn) (Lab): What discussions on security and defence issues he has had with his counterparts in the US Administration, Pakistan and Afghanistan following the death of Osama bin Laden. [55360]

The Secretary of State for Defence (Dr Liam Fox): I regularly discuss a number of security and defence issues with my counterparts in the United States, Afghanistan and Pakistan. The death of Osama bin Laden is a positive development in terms of our counter-terrorism effort, but it does not change our strategy in Afghanistan. We remain committed to our military, diplomatic, and development work to build a stable and secure Afghanistan.

Mr Hanson: The head of the snake may have been removed, but the bombings in Pakistan at the weekend show that there is still considerable al-Qaeda activity in the region. Does the Secretary of State share my concern that the Prime Minister's potential announcement of early withdrawals of troops in the summer is of concern, particularly given the fears expressed publicly by defence staff for the safety of British residents at home and abroad as a result of that policy?

Dr Fox: We are committed to maintaining the level of troops that we need for our main effort in the southern part of Afghanistan. The number of combat troops that we have had in Helmand has been at a consistent level, our force densities have improved and we intend to make no changes to those numbers until we see an improvement in the security situation there.

Dr Julian Lewis (New Forest East) (Con): Is it not rather depressing that after everything that has happened in Afghanistan and, in particular, to the former Taliban regime there, people in the Taliban have not learned their lesson that al-Qaeda is poison to them? That was shown by the demonstrations against the death of bin Laden on the part of the Pakistani Taliban. If the Taliban want to be part of a settlement, is it not time that they realised how poisonous the al-Qaeda connection has always been?

Dr Fox: My hon. Friend makes a truly excellent point. We need to recognise that al-Qaeda involves violent political extremism that will guarantee no country and none of its people's safety and security. The quicker that those who have previously dallied with the Taliban recognise that that cannot be a route for peace and reconciliation in the long term, the better.

Mr Russell Brown (Dumfries and Galloway) (Lab): Further to the question raised by my right hon. Friend the Member for Delyn (Mr Hanson), I fully agree that any troop withdrawal should be based on sound military advice and that the lives of our brave servicemen and women, and civilians, should not be put at risk by any kind of premature withdrawal. Will the Secretary of State confirm that he will resist the temptation to make any announcements about early withdrawal that may coincide with the visit of President Obama?

Dr Fox: As I have pointed out in the House before, we maintain a core force of some 9,500 troops in Afghanistan. The number has risen to as high as 11,000 over the past year, partly due to temporary surges. It is a normal part of the process in Afghanistan that that number will rise and fall but, as I said, the important element in respect of that number is that we maintain our core commitment to the south of Afghanistan and our combat force there.

Armed Forces Day 2012

7. **Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): When he expects to make a decision on the location of events to mark the 2012 Armed Forces day for the nation. [55361]

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): Plans for the national event to mark Armed Forces day 2012 are being considered and a decision will be announced as soon as possible. In the meantime, I look forward to this year's Armed Forces day on Saturday 25 June, including the national event, which will be hosted by Edinburgh.

Oliver Colvile: I thank my right hon. Friend for his reply and for all his care and diligence in deciding on the location. Is he able to share with us the criteria that will be used in making that decision?

Mr Robathan: On the subject of honouring our armed forces, I think that the whole House would wish me to remind everyone that today is Albuhera day—the Middlesex day. Today is the 200th anniversary of the battle of Albuhera, and that explains the naming of Middlesex day. The Middlesex Regiment subsequently became known as the Duke of Cambridge's Own Regiment, which is particularly fitting this year.

In answer to my hon. Friend's question about Armed Forces day, I can say that there are no set criteria. However, I have heard at great length his pleas on behalf of Plymouth and I shall certainly bear them in mind.

Chris Bryant (Rhondda) (Lab): May I urge that one criterion might be that the area sends a lot of young men and women into the armed forces? That would enable the Minister, next year or in a future year, to consider using not just the major cities or the major places where people are based, but an area such as the south Wales valleys, which sends a very large number of people into the armed forces—that is, as long as he has not made the wrong decision about 160 Brigade being based in Brecon.

Mr Robathan: I can assure the hon. Gentleman that I have made no decisions about 160 Brigade. Of course the main national event for Armed Forces day was in Cardiff last year. It is the responsibility of local authorities to deal with the infrastructure and the work involved in the Armed Forces day celebrations. If people in the south Wales valleys say that they will arrange a great event there that could be the national focus, I am sure that we would listen to that sympathetically as well.

Middle East

8. **Mel Stride** (Central Devon) (Con): What recent assessment he has made of the implications for his Department's policies of the security situation in the middle east. [55362]

The Minister for the Armed Forces (Nick Harvey): Recent events in the middle east have demonstrated that the central finding of the strategic defence and security review—the need for the UK to adopt an adaptable posture with flexible forces—was appropriate. Given the vital importance of the region to the UK's long-term interests, we will continue to monitor the still evolving situation before drawing conclusions on if and how it could influence the Department's policies.

Mel Stride: Does my hon. Friend agree that our allies in the Gulf play a vital role in ensuring security and stability in the region and that it is imperative that our Government continue to engage constructively and positively with them, particularly in these uncertain times?

Nick Harvey: I agree with my hon. Friend that the Gulf states are key partners in the battle against international terrorism and more widely. That said, we are concerned at events in some of the Gulf states. We urge all Governments to meet their human rights obligations, to uphold political freedoms and to recognise that those things do not run contrary to security but are in fact integral to longer-term stability. We believe that dialogue is the way to fulfil the aspirations of all, and we urge all sides, including opposition groupings, to engage.

Mr Denis MacShane (Rotherham) (Lab): The Government, rightly in my view, are calling for Colonel Gaddafi to be referred to the International Criminal Court. Does the Minister agree, therefore, that the President of Syria, Bashar al-Assad, should be similarly referred because he is killing and torturing just as many people in Syria as Gaddafi is in Libya?

Nick Harvey: I understand that Gaddafi has already been referred to the court and that that decision was taken internationally at the ICC. I entirely see the comparison that the right hon. Gentleman is drawing and it would seem to me that the international forces that reached the conclusions they did about Gaddafi are highly likely to arrive at a similar conclusion.

Improvised Explosive Devices (Afghanistan)

9. **Jack Lopresti** (Filton and Bradley Stoke) (Con): What assessment he has made of the adequacy of equipment provided to the armed forces to counter improvised explosive devices in Afghanistan; and if he will make a statement. [55363]

The Parliamentary Under-Secretary of State for Defence (Peter Luff): An impressive range of capabilities is in service to counter the threat from IEDs that our armed forces in Afghanistan face; our personnel are trained and equipped to apply a range of tactics, techniques and procedures. Defeating the threat is a vital part of the counter-insurgency campaign, and the equipment we are fielding against these sordid devices is widely recognised as being better than ever. However, as demonstrated by the weekend's tragic news, which I reported to the House earlier, we are up against a determined enemy and must continue to invest in this area.

Jack Lopresti: I thank my hon. Friend for his reply. Is he satisfied that we have sufficient equipment levels in place to train Afghan national forces to counter IEDs and that progress is being made in this area?

Peter Luff: My hon. Friend speaks with great authority as a gunner who served in Afghanistan two years ago. He certainly knows what he is talking about. I can reassure him that equipping and training the Afghan national security force is a crucial part of NATO's common counter-IED strategy. It is of course the job of the international security assistance force, which has the lead for training and equipment. I can assure him that the UK comfortably meets its responsibilities in this respect, but it is a challenging task and one to which we are fully committed because it forms the foundation for our eventual withdrawal from Afghanistan.

Mr Bob Ainsworth (Coventry North East) (Lab): Will the Minister assure the House that the review and the spending difficulties that the Department has will not affect in any way his commitment to the speed of manufacture, and the number of vehicles manufactured, of the light protected patrol vehicles that are so badly needed in Afghanistan?

Peter Luff: As the right hon. Gentleman knows, I hold him in very high regard and personal esteem, and with some affection. I gently remind him that it is not a problem we have but a problem we inherited, and we are dealing with it. I can, though, give him the categorical assurance that he is seeking that those matters will have no impact on the operations in Afghanistan.

NATO

10. **James Morris** (Halesowen and Rowley Regis) (Con): What steps he is taking to seek the modernisation of NATO. [55364]

17. **Graham Evans** (Weaver Vale) (Con): What steps he is taking to seek the modernisation of NATO. [55371]

The Parliamentary Under-Secretary of State for Defence (Mr Gerald Howarth): The UK is playing a leading role in the push to modernise NATO through the reform of its supporting agencies and improving its financial management and programming. The UK is also a leading proponent of important work to streamline NATO's command structure. We hope to reach final agreement at a meeting of NATO Defence Ministers next month, which my right hon. Friend the Secretary of State will be attending.

James Morris: The role and purpose of NATO has changed radically over the past 20 years. Does the Minister agree that NATO needs to concentrate on reviewing its strategic purpose as well as finding new ways of interacting with other international institutions in a world that is radically different from that of the cold war?

Mr Howarth: My hon. Friend makes a very important point, but I suggest to him not only that article 5 is absolutely central to NATO's mission but that since 1989, as Afghanistan, the anti-piracy operations in the Arabian sea and the Libyan operation have shown, NATO has already developed remarkable flexibility and is working with other institutions, most notably the European Union, where we are seeking to ensure there is no duplication.

Graham Evans: Does my right hon. Friend agree that NATO remains the cornerstone of the UK's defence, and will he resist any attempt by the EU to challenge that position?

Mr Howarth: I am very happy to give my hon. Friend that categorical assurance on behalf of the entire Government.

Mr David Crausby (Bolton North East) (Lab): Does the Minister agree that any modernisation of NATO should ensure that those member nations who have the troop numbers and resources, such as Germany, should pull their weight in the same way that we do in NATO operations such as those in Afghanistan and Libya?

Mr Howarth: I am very happy to agree with the hon. Gentleman. As I have said in response to the hon. Member for Birmingham, Edgbaston (Ms Stuart), a number of NATO countries seek to take advantage of article 5 and the other protections that NATO gives them without divvying up the membership fee. That is certainly something that my right hon. Friend the Secretary of State is working on—showing other countries that if they want the protection of NATO, they have to contribute to its funding.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Minister assure the House that there will be careful analysis of what went wrong in the early days of the Libyan encounter? Ever since the United States seems to have pulled back on its operational activity, we seem to be have been much less effective at defending innocent people in that country.

Mr Howarth: I think that the hon. Gentleman is being slightly churlish. I was extraordinarily impressed by the speed with which NATO responded. After all, there was a United Nations resolution and no mechanism by which it was going to be implemented. It is hugely to NATO's credit, and particularly to the credit of its Secretary-General, that he and it made those structures available to enable support for the Libyan people to be provided not only by NATO but by many other countries. I am sure there will be a review about how successful everything has been in due course.

Nicholas Soames (Mid Sussex) (Con): Does my right hon. Friend agree that despite the programme of modernisation, which is very welcome, and NATO's extremely effective and speedy response over Libya, the question of NATO's transformation is proceeding not nearly fast enough? Does he agree that it would be a pity if the Ministers' meeting at NATO did not come up with a really substantial reform in that department?

Mr Howarth: As ever, my hon. Friend puts his finger on the point. He is absolutely right and we are absolutely determined. My right hon. Friend the Secretary of State will be pressing ahead with transformation. We have led the way on this and we are determined not to let the issue lapse because if NATO is not efficient, lean and modern, it will not be able to deliver what we all seek.

Nuclear Test Veterans

11. **Mr Steve Brine** (Winchester) (Con): When he expects to receive the findings of the independent health needs audit of British nuclear test veterans; and whether he plans to publish a response to the study. [55365]

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): The findings of the health needs audit are expected this summer. The study will document veterans' self-reported experience of ill health and their experience of health and social care services, and it aims to provide practical, forward-looking recommendations on how health and social care services for this group could be improved. We intend to share the outcome of this work with other relevant areas, such as the Department of Health, and we will publish the report's findings and any response.

Mr Brine: I thank the Minister very much for that response. Like many Members, I look forward to the Secretary of State's statement on the armed forces covenant shortly. One could argue that the duty of care it entails is also relevant to Britain's nuclear test veterans. What action is the Minister able to take after so many years—it has been many years now—properly to recognise the sacrifices of our nuclear test veterans and to bring some much-needed closure to survivors and their families?

Mr Robathan: I think the whole House would join me in paying tribute to those who served in the armed forces in the 1950s. Most of those involved were national servicemen and were doing their duty, as it was explained to them, by witnessing the nuclear explosions. We provide war pensions to anyone who suffers from an ailment that is linked to the service they underwent, such as watching nuclear tests, but it is necessary that we provide pensions and compensation only to those who were harmed by their service.

Jeremy Corbyn (Islington North) (Lab): Does the Minister agree that this is a sad and sorry business? Those people suffered grievously many years ago and successive Governments have prevaricated and obfuscated on the matter. The nuclear test veterans need help, support and compensation, and above all they need an apology from successive Governments for the way they have been treated.

Mr Robathan: I do not agree with the hon. Gentleman. He says that people suffered grievously. Some people are of course ill, and some are ill because of their service. It is important that the Government should look to that. The previous Government did, as we do, through the war pensions system. However, there is no study showing that people who witnessed those nuclear tests have more cases of cancer than their cohort groups. We must base our response and expenditure of taxpayers' money on evidence, not on emotion.

Basing Review

12. **Elizabeth Truss** (South West Norfolk) (Con): When he plans to publish the recommendations of his Department's basing review. [55366]

The Minister for the Armed Forces (Nick Harvey): As I have said before, the Ministry of Defence will make an announcement as soon as we are in a position to do so, and that will be before the summer recess. But as I have also said, this is a complex piece of work and we will take the time necessary to make sure we reach the right conclusions.

Elizabeth Truss: On Friday I attended the disbandment parade of 13 Squadron at RAF Marham, which was a moment of both pride and sadness. Given the additional commitments taken on by the RAF in Libya and the statement by the Chief of the Air Staff that our air force is heavily stretched, will that have an impact on the basing review?

Nick Harvey: That will not have an impact on the basing review, but I join my hon. Friend in paying tribute to everybody involved with 13 Squadron, which was involved in the early stages of the operation in Libya and has a proud history going back 96 years, including distinguished service in the second world war and later in the no-fly zone in Iraq and Operation Telic. The name will live on next year when a new squadron of reaper, the remotely piloted aircraft, will take on the number 13, and I am pleased to say that most of the personnel involved have been found other roles elsewhere in the Tornado force.

Angus Robertson (Moray) (SNP): At the time of the strategic defence and security review, the Secretary of State told me that the basing review affecting RAF Lossiemouth would be concluded before the end of December 2010. That was put back to the end of February 2011, and we are still waiting. The delays are causing uncertainty and economic damage in Moray and, I am sure, likewise in Fife, Norfolk and elsewhere. Does the Minister agree that the least that service communities should expect is a definitive date and no more delays?

Nick Harvey: As I said a moment ago, this is a complex piece of work. The Army coming home from Germany happens only once, and the future lay-down of the Army and the basing of the British Army for the future is something that we have to get right. It is necessary to take the time to get those decisions right. I understand the impact that waiting for a decision has on local communities, but it is more important that we get this right than that we do it fast. As I said a moment ago, we will make an announcement by the summer recess.

Sir Menzies Campbell (North East Fife) (LD): My hon. Friend will be pleased to hear that the professionalism and commitment of the men and women who serve at RAF Leuchars, which he saw for himself earlier this year, continue, notwithstanding uncertainty about the future of the base. What view does he take of the kind of speculation that we saw last week, apparently originating from within the House, which appears to suggest that decisions affecting RAF Leuchars have already been taken?

Nick Harvey: I am pleased to hear that the professionalism of those serving at Leuchars, which I saw for myself recently, remains unaffected. There has been some ill-informed and unhelpful speculation in the media. In particular, last week there was a routine meeting to discuss all aspects of defence reform. It was absolutely not the case that there was ever any prospect of decisions being taken at that meeting, nor was there any proposal to that effect on the table. This is important work, and there is more work ongoing. I categorically assure my right hon. and learned Friend that no such decision has been taken, and we will come to the House as soon as we are in a position to do so.

Mr Kevan Jones (North Durham) (Lab): Last week the Chief of the General Staff told the Defence Committee that substantial investment in accommodation and training facilities will be needed if the Government are to be able to meet their challenging target of withdrawing half the troops currently based in Germany by 2015, let alone withdrawing the rest by 2020. What assessment has the Minister made of the cost of this policy and will it come out of the current departmental financial settlement?

Nick Harvey: The Chief of the General Staff was absolutely right to say that the accommodation that the British Army will need must be of the highest standard. What that will cost will depend entirely on the decisions that are taken on where the Army will go and the state of readiness of any facilities into which we might propose to move them. The figures will emerge when we know where we are sending them and what will have to be built in readiness to receive them.

Military Covenant

13. **Mrs Mary Glindon** (North Tyneside) (Lab): What steps the Government plan to take to fulfil the Prime Minister's pledge to enshrine the military covenant in law. [55367]

The Secretary of State for Defence (Dr Liam Fox): The Prime Minister's pledge is being fulfilled through the Armed Forces Bill, which recognises the armed forces covenant in statute for the first time. I will make a further announcement to the House shortly.

Mrs Glindon: What assurance can the Secretary of State give the House and members of the armed forces, such as my constituent, 19-year-old Private James Kenny of C company, 3rd Battalion the Parachute Regiment, who has recently returned from active service in Afghanistan, that an independent panel will be set up to report on the Government's performance in relation to the military covenant?

Dr Fox: I have said repeatedly in the House, in answer to similar questions, that I want the widest possible consultation and the widest possible transparency. If the hon. Lady will permit me, I will set out the details shortly.

Charlie Elphicke (Dover) (Con): Is not today an important day of justice for the honouring of the armed forces after the disgraceful neglect of the past 10 years?

Dr Fox: I think that the whole House, in fact the whole country, will want today to rally behind the Government's proposals, which I believe represent a wide consensus across those with different political views and those with none.

Gemma Doyle (West Dunbartonshire) (Lab/Co-op): I have not had the misfortune of getting into a lift with the Under-Secretary of State for Defence, the right hon. Member for South Leicestershire (Mr Robathan), but I have spent many hours debating the military covenant with him. I was therefore very surprised to learn at the weekend that he has performed not only a U-turn on the matter, but a double U-turn. He had said previously that he did not believe that a veterans ID card was necessary. What does the Secretary of State think?

Dr Fox: I am not sure what a double U-turn looks like. Again, I will be outlining the proposals, which will be available in the documents that will be published and available to the House, very shortly.

Afghanistan

14. **Patrick Mercer** (Newark) (Con): What plans his Department has to reinforce troops in Afghanistan over the summer campaigning season. [55368]

The Minister for the Armed Forces (Nick Harvey): Following the increase in troop numbers as a result of the international security assistance force surge in the second half of 2010 and the continuing increase in both the size and capability of the Afghan national security forces, I am confident that there are sufficient forces in Afghanistan to meet the insurgent threat over the coming months. For that reason, there are no plans to increase the UK's endorsed force levels.

Patrick Mercer: I am grateful to the Minister for his reply, but there are a considerable number of troops in Afghanistan, a considerable number of forces operating in Libya, and I have no doubt that further military operations will be required in other parts of north Africa. I understand that defence cuts need to be made, but can he assure me that those currently being discussed will not include any further cuts to combat forces?

Nick Harvey: I am not aware of the discussions to which my hon. refers, but I can absolutely assure him that there will be no reductions in the number of front-line fighting troops for the very reasons he gives.

Paul Flynn (Newport West) (Lab): The justification for dismantling improvised explosive devices, rather than blowing them up, is that those who made them can be identified and captured. As this has resulted in the deaths of many of our brave soldiers, should we not alter the policy, particularly now that the prisoners are escaping in such huge numbers?

Nick Harvey: It is certainly not the case that we always go for the option of dismantling IEDs, as some of them are destroyed, but as part of the ongoing effort to counter the IED threat it is absolutely vital that we have an understanding of how they are made and who is making them. It is absolutely essential intelligence to us—to garner that information on occasions—and we have no intention of changing that approach.

Defence Equipment

15. **Paul Uppal** (Wolverhampton South West) (Con): What progress has been made on his Department's consultation on equipment, support and technology for UK defence and security. [55369]

The Parliamentary Under-Secretary of State for Defence (Peter Luff): My colleagues in the Home Office and I are very pleased with the results of the public consultation, which ended on 31 March, on the recent Green Paper. We used a number of mechanisms, notably conferences, regional visits and a dedicated website, to encourage wide participation, and we received 143 separate written reports from individuals, companies and organisations, as well as more than 200 comments on the website. We are now analysing the information received and will publish a summary of the consultation responses later this year, alongside the planned White Paper.

Paul Uppal: Given the value of the defence sector to our economy, what steps are being taken to ensure that prosperity can continue to flourish, and that the whole UK economy can benefit?

Peter Luff: I strongly agree with my hon. Friend. Ministers in the Department are committed to the Government's policy of export-led growth, whereby the Government are making radical steps to ensure that responsible defence exports are actively promoted. This year I have visited India, Japan and Turkey on precisely that mission, and all members of my ministerial team have made similar such visits to ensure that the outcome my hon. Friend rightly seeks is achieved.

Service Family Accommodation

16. **Alison Seabeck** (Plymouth, Moor View) (Lab): What plans he has for the future of service family accommodation; and if he will make a statement. [55370]

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): In the strategic defence and security review published on 19 October last year, we announced that we will undertake a detailed review of our approach to accommodation with the aim of meeting the aspirations of service personnel for affordable and good-quality housing. Work is now under way and we will report in the summer of 2012.

Alison Seabeck: I draw the House's attention to the entry in the Register of Members' Financial Interests of my right hon. Friend the Member for Greenwich and

Woolwich (Mr Raynsford), for reasons that I have put on the record on a number of occasions already this Session.

All the evidence is that constant moving, perhaps every couple of years, between homes and schools for service personnel and their families is extremely destabilising and not good for family life. Has the Minister therefore made any representations to the Department for Communities and Local Government about the impact of the flexible tenure proposal in the Localism Bill, and about the effect that it will have of perpetuating the cycle that such people currently experience?

Mr Robathan: The hon. Lady is quite right: service personnel can be disadvantaged in many ways by the many moves that they make. As it happens, not two hours ago I was at a meeting at the Department for Communities and Local Government with the Housing Minister to discuss that among other matters. Unfortunately, I left before that matter came up on the agenda in order to come to the House, but I can assure the hon. Lady that we are looking at the issue very carefully and we did have that conference this lunchtime.

Topical Questions

T1. [55394] **Phil Wilson** (Sedgefield) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Defence (Dr Liam Fox): My departmental responsibilities are to ensure that our country is properly defended now and in the future; that our service personnel have the right equipment and training to allow them to succeed in their military tasks; and that we honour the armed forces covenant.

Phil Wilson: Following the First Sea Lord's comments that he wished he could revisit the Government's position on the Ark Royal and the Harrier jets, and that if the UK had an aircraft carrier it would be deployed in Libya, will the Minister consider reversing the decision on the Ark Royal and explore ways of closing the carrier strike-capability gap?

Dr Fox: What is important in Libya is the fact that we are able to project our air power in an effective and timely manner, and we are able to do that because we have no problems with basing or with over-flight, which is exactly the analysis that we made in the strategic defence and security review.

T3. [55396] **Penny Mordaunt** (Portsmouth North) (Con): I welcome the historic decision to enshrine the armed forces covenant in law, but what else is being done to ensure that ex-service personnel are not discriminated against, especially when they set up a home?

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): My hon. Friend is quite right, and as I said just now we had a meeting at DCLG just a couple of hours ago. We are determined that armed forces personnel, be they serving or just leaving the services, which is often when they want to buy a house, are not discriminated against by mortgage providers or, indeed, by credit reference agencies.

T2. [55395] **Dan Jarvis** (Barnsley Central) (Lab): Does the Secretary of State agree with the Prime Minister that legislation that protects reservists' employment is red tape, or does he agree with me that scrapping it would jeopardise recruitment and morale? Will he therefore guarantee to protect it?

Dr Fox: I am very grateful to be able to welcome the hon. Gentleman to the House personally, and I look forward to the expertise that he will bring to Defence questions. He will be aware that we are undertaking a very detailed review of reservists, not just the number and structure of the reserves, but the framework within which they operate, including for example the issues relating to employment, so that this country can make proper use of our reserves and maximise the benefit that they can bring to the armed forces, as happens already in many other countries.

T5. [55398] **Mr Aidan Burley** (Cannock Chase) (Con): Does my right hon. Friend share my recognition of the critical importance of defence diplomacy to UK interests around the world? Will he update the House on what progress he has made on making amends for the decade of Labour neglect in this area?

The Parliamentary Under-Secretary of State for Defence (Mr Gerald Howarth): I can assure my hon. Friend that since taking office we have set a new and vigorous pace to make up for the deficiencies of the previous Labour Administration. As my 1924 map of the British empire should remind everybody, the United Kingdom enjoys extensive historical ties with a large number of countries, giving us an unrivalled position. It is our policy to build on that strength through defence diplomacy, and we are doing so.

T4. [55397] **Mrs Linda Riordan** (Halifax) (Lab/Co-op): The original White Paper for the Trident replacement programme estimated a figure of £11 billion to £14 billion in 2006 prices, but in a recent letter to my hon. Friend the Member for North Ayrshire and Arran (Katy Clark), the Minister stated that

> "the combined cost of the Concept Phase, totalling approximately £900 million, and the Assessment Phase, totalling approximately £3 billion at outturn prices is consistent with the departmental guidance that programmes should spend approximately 15% of the total costs before Main Gate."

It appears that this would put the cost of the whole programme at £26 billion. Will he confirm that that is an accurate projection?

The Parliamentary Under-Secretary of State for Defence (Peter Luff): As I previously explained in an Adjournment debate, all the costs that we are using are entirely consistent with the original projections. I will be delighted to spend some time with the hon. Lady explaining to her in detail exactly why that is the case.

T6. [55399] **Nigel Adams** (Selby and Ainsty) (Con): I am grateful to the Minister for writing to me regarding the restructuring of the provision of elementary flying training at RAF Church Fenton. What plans does the MOD have for the future of Church Fenton?

The Minister for the Armed Forces (Nick Harvey): The hon. Gentleman is quite right that in order to rebalance flying training in the light of the new requirements, there will be no further intake of elementary flying training students at RAF Church Fenton. That is because the requirement is reduced from 155 to 105 pilots a year, and the last course, which is currently under way, completes in August. I understand that that will create considerable concerns for local people in the hon. Gentleman's constituency. No decisions have yet been taken about the future of RAF Church Fenton, although the Yorkshire university air squadron, which incorporates No. 9 Air Experience Flight, will continue to use the station, and it will continue to act as a relief landing ground for RAF Linton-on-Ouse.

T8. [55401] **Alison Seabeck** (Plymouth, Moor View) (Lab): Post the very welcome announcement on the future base porting of the Type 23 frigates, will the Minister—I am sure he will forgive me for not letting the paint dry on this one—tell us at what stage are the strategic discussions about the future of the Type 26?

Mr Gerald Howarth: I was very pleased to confirm, on behalf of the Under-Secretary of State for Defence, my hon. Friend the Member for Mid Worcestershire (Peter Luff), that the seven Type 23s are to remain based at Plymouth. The Type 26 global combat ship is in the assessment phase at the moment, and we are working extremely hard to see whether we can build it in partnership with other nations. I cannot go into too much detail at the moment, because much of it is commercially sensitive, but I can assure the hon. Lady that as part of our defence diplomacy initiative, it appears to be going rather well.

T9. [55402] **Charlie Elphicke** (Dover) (Con): So often the House focuses on our armed forces in theatre and in conflict, but is it not also important that we celebrate our armed forces at home? I hope that the House will forgive me if I celebrate in particular the work of the armed forces recently at the royal wedding, where they were so brilliantly turned out.

Nick Harvey: I entirely agree with my hon. Friend. After the service that so many have given on the front line, including in Afghanistan—some of those involved that day were involved on the front line in Afghanistan—it was very good, with the eyes of the world looking at us, that the contribution of the armed forces was able to be celebrated in that way and that they gave such a good account of themselves with everybody watching.

T10. [55403] **Mr David Hanson** (Delyn) (Lab): Has the Department reflected on the concerns of the Royal British Legion and the other place over the post of chief coroner? If so, what representations has it made to other Departments about the necessity of keeping the post?

Dr Fox: I share the concerns of the Royal British Legion and the right hon. Gentleman about the importance of this issue. I am having ongoing discussions with the Ministry of Justice to determine the best way to ensure that the skills required in this specialist area are available, that access is improved and that the distances that families have to travel to attend are minimised.

Bob Russell (Colchester) (LD): Further to oral Question 16, does the Minister understand that soldiers who have returned recently from Afghanistan are living in family accommodation that is not up to the right standards, while across the road, former Army houses have been modernised at a cost of millions of pounds of public money? If the Government can find money for that side of the road, why can they not find it for our soldiers' families?

Mr Robathan: The hon. Gentleman is quite right. I have driven along that particular road and seen the situation. *[Interruption.]* I hear somebody shouting from a sedentary position, "It's your Government!" Actually, the houses were built under the last Government, and the houses that have not been done up were not done up under the last Government. We are trying.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): What assessment have the Government made of the proposition put forward at the weekend by the Scottish National party, that in an independent Scotland, armed forces bases could be shared?

Dr Fox: It is tempting to make light of the nonsensical ideas that tend to come from the Scottish National party, but now that it is in such a strong political position in Scotland, we have to take these issues more seriously. It is extremely worrying that the SNP has previously had a posture that is anti-NATO and anti the nuclear defence of this country. It is time to engage in a serious debate on issues that ought to worry all those who believe in the United Kingdom, and in sound defence for the United Kingdom.

Mr David Davis (Haltemprice and Howden) (Con): In a television debate on the BBC on 6 April, the Minister for the Armed Forces asserted that this country did not have the capability to fly Harriers off aircraft carriers even before the defence review, and that we had not flown them off aircraft carriers since 2003. The truth is that they flew off Ark Royal as late as November 2010 in difficult sea conditions. I am sure that he did not intend to mislead the British public. Will he put the record straight now?

Nick Harvey: I am happy to correct what I said in that TV interview. I had thought that from the context it was clear that I was talking about flying in combat operations. The 2003 date was the last time that we had flown Harriers off carriers in combat operations. Of course, the right hon. Gentleman is right to say that Harriers continued literally to fly off carriers after that. Indeed, the nation watched the valedictory flights off Ark Royal back in December, as he said. I apologise for any confusion that my remarks may have caused.

Nick Smith (Blaenau Gwent) (Lab): Will the Minister give an assessment of the financial cost of the conflict in Libya so far? Does he recognise reports which state that if the conflict lasts six months, the cost could reach £1 billion?

Peter Luff: I do not think it will get to that. This is necessarily a complex subject, and I cannot give a straightforward answer. There are costs that would be incurred anyhow by the armed forces operating in Libya. There are additional costs that are specific to the campaign. We would also have to establish the precise value of the assets deployed or used in the campaign. All I can say to the hon. Gentleman is that the House will be informed in the usual way of the precise costs in the winter supplementary estimates.

Jane Ellison (Battersea) (Con): Will Ministers update the House on the provision of mental health support for our service personnel, in particular those who have returned from theatre? As we know, such problems can take many years to emerge.

Mr Robathan: I am grateful to my hon. Friend for raising this issue, because we take it very seriously. She will know of the report by my hon. Friend the Member for South West Wiltshire (Dr Murrison) entitled "Fighting Fit", which is extremely valuable. We are taking forward its proposals. For example, there is already a helpline for those who have concerns, and I have phoned it to check that it works. We continue to be concerned and are working with Combat Stress to ensure that people who have concerns or who may have mental health problems can raise those issues with the authorities. Along with Combat Stress, we will ensure that they have the best possible care.

Mr David Winnick (Walsall North) (Lab): May I tell the Secretary of State that his earlier answer on Libya will cause a great deal of anxiety? Is it now the policy of the British Government, despite the denials, to take Gaddafi out by one means or another and bring about regime change? Would that not be totally outside Security Council resolution 1973?

Dr Fox: The policy of the Government is not regime change, which would be outside resolution 1973. It is Government policy, as it is NATO policy, to do everything possible to protect the civilian population, who would be considerably better off if Colonel Gaddafi and his regime were not there.

Mr Peter Bone (Wellingborough) (Con): When we were in opposition, we were critical of the former Government for not having enough helicopters. In the SDSR it was confirmed that we needed helicopters and planned to purchase them. Can the Minister confirm that the 14 Chinooks will now be ordered?

Peter Luff: I am happy to confirm to my hon. Friend that the position in relation to the Chinooks is exactly as was set out in the SDSR. Indeed, I will be visiting the Boeing production site very shortly to see the production line for myself.

Mr Iain Wright (Hartlepool) (Lab): Given today's reports in *The Times*, and following Ministers' responses earlier this afternoon, it appears that the Secretary of State has some stark choices. He can restrict the capacity for British military capability and influence by cutting personnel and equipment still further, or he can secure a better deal from the Treasury. Which option does he prefer?

Dr Fox: It was always clear to those who followed these matters that following the SDSR, there were a number of very important second-order issues to address, such as the basing review, the reserves review and the changes made under the defence reform unit. It is also essential that we put the armed forces' finances on a firm footing for the years beyond the current spending settlement, which runs from 2014-15 to 2020. That is the exercise upon which we are currently embarked, because we are determined that we will not get the defence budget into the shambles that it was in when we inherited it from Labour.

Joseph Johnson (Orpington) (Con): Would the Minister like to take this opportunity to welcome the news that India has just put the European Typhoon, made by BAE Systems, on a shortlist of just two for the hugely valuable multi-role combat aircraft tender, one of the biggest defence orders on the horizon anywhere in the world?

Peter Luff: The simple answer is yes. That is an extremely successful outcome, and we are delighted with it. A lot of effort has been expended by the four partner nations. I was at the Bangalore air show myself in February pursuing the cause, and I am delighted by the outcome. We must now pursue the campaign to a successful conclusion.

Katy Clark (North Ayrshire and Arran) (Lab): What discussions has the Secretary of State had about the future servicing and storage of complex weapons systems? In particular, what assurances can he give about the future of Defence Munitions Beith, in Scotland, which stores such systems?

Dr Fox: I cannot give the hon. Lady a precise answer about what discussions have taken place lately on that subject. If she will forgive me, I will write to her with the details.

Dr Julian Lewis (New Forest East) (Con): Have Ministers had a chance to consider the imaginative scheme to retain HMS Ark Royal for the nation as a heliport facility in conjunction with the Homes for Heroes project, bearing in mind that this year is the centenary of the first naval aviators being taught to fly and bearing in mind the importance of keeping aircraft carriers in the forefront of our minds until they resume their rightful place in this country's armoury?

Dr Fox: I doubt whether my hon. Friend, or many other Members, would believe some of the suggestions that we have had for the future use of Ark Royal. Its use as a helipad is one of them, and although I find it particularly attractive in some ways, I am not sure whether the residents where it might be placed would think exactly the same. Its use is subject to a range of issues, not least planning considerations but also a range of financial ones. As ever, however, he makes a welcome and creative contribution to the debate.

John Woodcock (Barrow and Furness) (Lab/Co-op): Is it true that the nuclear deterrent renewal will pass its initial gate this week? Why the delay over the past year?

Dr Fox: It has been essential to ensure that all the issues involved are agreed on, including, as the hon. Gentleman is well aware from his constituency interest, those to do with the safety of nuclear propulsion. I will make a statement to the House in the very near future.

Mr Speaker: Order. I appeal to anybody leaving the Chamber to do so quickly and quietly, because we await with interest and anticipation the statement by the Secretary of State for Defence.

Armed Forces Covenant

3.34 pm

The Secretary of State for Defence, (Dr Liam Fox): With permission, Mr Speaker, I should like to make a statement on the armed forces covenant. The Government have no higher duty than the defence of the realm, and the nation has no greater obligation than to look after those who have served it. The men and women of the three services, regulars and reservists, whether they are serving today or have done so in the past, their families and those who have lost a loved one in service, all deserve our support and respect. That obligation is encapsulated in the armed forces covenant.

The ties between the nation, its Government, and its armed forces are not the product of rules and regulations, nor of political fashion. They are much deeper than that. They have endured for generations and they go to the heart of our national life. The armed forces covenant therefore does not need to be a long and detailed charter. It should be a simple and timeless statement of the moral obligation that we owe. We are therefore publishing today a new version of the covenant, written for the first time on a tri-service basis.

The covenant is enduring, but it will mean different things at different times. The expectations of today's servicemen and women are, rightly, different from those of their predecessors. Alongside the covenant we have published guidance on what we believe it means in today's circumstances. It sets out a framework for how the members of the armed forces community can expect to be treated, and the aspirations and expectations that we believe are implicit in the covenant.

The covenant and the guidance do not, however, describe what the Government are doing to put that into effect. That is why I am also publishing a paper, entitled "The Armed Forces Covenant: Today and Tomorrow", that sets out the practical measures we are taking to support the covenant. The paper brings together the commitments we have already made with the new measures that I am announcing today.

A number of those measures take forward the ideas of Professor Hew Strachan, who led an independent taskforce on the covenant last year. I should like to record the Government's thanks—and, I imagine, the Opposition's thanks—for his extremely valuable work. Today, we are also publishing the Government's full response to his report.

One of Professor Strachan's most important recommendations was the introduction of a community covenant. That will strengthen communities and build new links between them, local government and the armed forces. I can today announce that we are allocating up to £30 million over the next four years to support joint projects, at a local level, between the services or veterans groups and the wider community.

The Armed Forces Bill, which the House will shortly have a further opportunity to consider, contains provision for an annual report on the armed forces covenant, which is designed to strengthen this House's ability to scrutinise how we are fulfilling our obligations. In that way, the existence of the covenant is being recognised in statute for the first time, as promised by the Prime Minister last year.

In deciding how best to recognise the covenant in law, the Government have had to maintain a careful balance. On the one hand, we do not want to see the chain of command undermined or the military permanently involved in human rights cases in the European Courts. On the other, we must ensure that the legitimate aspirations of the wider service community, the armed forces charities and the British public for our armed forces are met.

We believe that a sensible way forward—one that will give the right kind of legal basis to the armed forces covenant for the first time in our history—is to enshrine the principles in law, provide a regular review of the policies that will make them a reality, ensure that Parliament has a chance to scrutinise that review through the annual report, and ensure that the report itself is widely informed, consultative and transparent. I believe that it is right for the Government to be held to account on delivering the principles underpinning the covenant by this House, and not by the European Courts. That is what our approach will ensure.

I want to highlight two important aspects. First, the Government will set out on the face of the Armed Forces Bill the key principles that we believe underpin both the covenant and any report on its implementation. Ensuring that members of the armed forces community do not suffer disadvantage as a result of their service, and that where appropriate they receive special treatment, are at the heart of the armed forces covenant. I can tell the House this afternoon that the Government will bring forward amendments before Third Reading to require the Secretary of State to address those principles in preparing his report to Parliament, and to recognise the unique nature of service life.

Secondly, I made clear to the House on 10 January our commitment to consult stakeholders on the annual report. We intend to consult widely in its preparation, and prior to laying it before the House will give external reference group members from outside Government the opportunity to comment on it. We will also publish any observations alongside it.

We are working with the external reference group to update its terms of reference in line with its significant new role. The Government place great importance on maintaining our dialogue with bodies such as the service families federations and the major service and ex-service charities, which tell us what is happening on the ground, and I pay tribute to the invaluable contribution they make to the welfare of the armed forces community. In particular, I pay tribute to the contribution to this debate of the Royal British Legion, which continues to do such outstanding work in support of our armed forces.

The armed forces covenant is not just about words; it is about actions. The men and women of our armed forces judge us by what we do to improve their lives and those of their families. Since taking office, the coalition Government have taken a series of important measures to rebuild the covenant. I shall mention just some of them: we have doubled the operational allowance; we have included service children in the pupil premium; we have introduced scholarships for the children of bereaved service families; and we have taken action to improve mental health care. These measures are especially impressive when set against the background of the dire economic situation in which the Government must operate as a result of the previous Government's legacy.

[Dr Liam Fox]

There is much still to do, however. I have always been clear that our commitment to rebuild the covenant is a journey that we are beginning, not something we can do overnight, and I believe that the British people understand that. We are continuing to take action, however, and I am today announcing additional measures that will tackle some of the problems experienced by serving personnel, their families and veterans. I have already mentioned the new community covenant grant scheme. However, we are also setting up a new fund of £3 million per year over and above the pupil premium arrangements to support state schools catering for significant numbers of service children. We will also launch a veterans card that will allow access to discounts and privileges.

Furthermore, in helping injured personnel, we will guarantee that veterans suffering serious genital injuries have access to three cycles of IVF, wherever they live. We will also increase the rate of council tax relief for military personnel serving on operations overseas from 25% to 50%. In addition, between now and the summer recess, I expect there to be further announcements that will again underline that this is a priority across the whole of Government, and not just for Defence. Today Ministers are chairing a meeting with key stakeholders to discuss and agree ways to improve access to housing for our service people. The Health Secretary and I are looking forward to the report by my hon. Friend the Member for South West Wiltshire (Dr Murrison) on how to improve further the supply of prosthetics for injured personnel. Also, we will consider how to ensure that the guaranteed income payments made under the armed forces compensation scheme are not required to be used to pay for social care provided by the public sector.

The obligation we owe to our service men and women, set against the commitment and sacrifice that they make, is enormous. In the current financial climate we cannot do as much to honour that obligation, or do it as quickly, as we would like, but we can make clear the road on which we are embarked. Our understanding of the covenant will change over time, as will the way in which the Government and society meet it. The framework we have set out today provides the necessary flexibility to ensure that not only the Government but all of society can fully pay the enormous debt they owe to our armed forces, their families and our veterans. I commend it to the House.

Mr Jim Murphy (East Renfrewshire) (Lab): I thank the Secretary of State for his statement, and for my advance sight of it. I would also like to place on record the Opposition's appreciation of Professor Strachan and his sterling work.

Today we are reminded of our armed forces and the sacrifices that they make in defence of our country. They and their families are in all our hearts. Their actions overseas make Britain's streets safer, and we not only honour them, but celebrate their immeasurable professionalism and bravery. In that context we support the headline measures announced in today's statement, which can improve the well-being of service communities.

However, in the military covenant it appears that the Government are doing the right thing for entirely the wrong reason. The Armed Forces Bill is currently going through Parliament, and was meant to be debated just last week. The Government faced concerted pressure in Parliament—along with enormous concern in the country—to amend the Bill and enshrine the military covenant in law. However, at short notice and in the face of almost certain defeat in Parliament, that was delayed so that Ministers could organise this retreat, which they are announcing today.

As someone who has been open in saying that we should have gone further in the past to take the covenant out of the cut and thrust of party politics and put its principles in law, I congratulate all who played a part in the campaign. However, the Secretary of State today finds himself in the peculiar position of announcing a policy that he recently voted against. In February my colleagues and I tabled an Opposition day motion that called for

"establishing in law the definition of the Military Covenant, in so doing fulfilling the Prime Minister's pledge".

The Secretary of State, his Front-Bench team and the entire Cabinet voted against the motion.

The Minister responsible for veterans has been the principal covenant-denier. In February he said in Committee that to "write down" the covenant and

"try to codify it by statute would be, frankly…surprising."

He continued:

> "The covenant is a conceptual thing that will not be laid down in law."—[*Official Report, Select Committee on the Armed Forces Bill*, 10 February 2011; c.20-21.]

Those were the words of Ministers in February. Although today's announcement is welcome, it is not an action of conviction by the Government, but an act of submission to the parliamentary arithmetic that was building against them.

In the few minutes that I have, let me turn to the other measures in today's statement and strike a more bipartisan tone. Many of the announced measures appear to have their roots in the 2008 Command Paper on service personnel. We will want to look at the detail of today's proposals. Let me ask the Secretary of State some specific questions and invite him to offer the House, and forces families, direct answers. Can he say what criteria will be used to identify those qualifying for council tax relief, and whether they will be the same as for those receiving the operational allowance? Will those currently serving in Libya or Afghanistan benefit from the policy?

The announcement on concessionary travel is welcome. The Secretary of State will know that the Command Paper announced that the bus concession in England would be extended to include service personnel and veterans under the age of 60 who were seriously injured. Can he share with the House whether his announcement today is the implementation of that policy, or whether it is an entirely new announcement?

On housing, can the Secretary of State say whether today's announcement is in addition to or supersedes the introduction by the previous Government in January last year of the shared equity armed forces home ownership scheme? How many forces families will benefit from the scheme announced today? He has said that a new veteran's card will be introduced. We strongly welcome that, but again, the Minister responsible for veterans said in February that

"the Government still have no intention of introducing a veterans card,"

adding:

"I do not think that a veterans ID card is necessary, even in relation to access to commercial discounts."—[*Official Report, Select Committee on the Armed Forces Bill,* 17 February 2011; c. 102.]

What role will the veterans card have if it is not to be used for commercial discounts? Will the Secretary of State say who will pay for the card and how much it will cost?

My final specific question is to invite the right hon. Gentleman to tell the House whether he would consider exempting the seriously injured and war widows from the impact of recent pensions and benefits indexation changes, which will lead to enormous financial loss on the part of those who have given so much to our country. I am sure that the House and the British people would like to know his thoughts on that matter.

I have asked a number of questions in response to direct announcements made today by the Secretary of State. We will support today's announcement, but we will scrutinise it. We will want to know which of the announcements are genuinely new and involve new investment. However, the Government are entitled to widespread support on setting out to enshrine the military covenant properly in law. If they set out to achieve what they have announced today, the Opposition will strongly support them in that.

Dr Fox: I am grateful for the welcome—the basic welcome—that the right hon. Gentleman has given. Yes, it is perfectly true that the Opposition raised some of the issues in a recent debate—except that they would not define what they meant, nor would they tell us what rights they might create or how they would pay for them, yet they expected us to take them seriously. The reason why we have taken time to produce these reports and responses to detailed work is that we want to get the policies right and do the right thing for our armed forces, their families and their personnel.

The right hon. Gentleman asked about the doubling of council tax relief. As I said, this will be 50% for personnel on eligible operations overseas. It will go to all those who currently get the 25% discount, which is a wider definition than that used for the operational allowance, but not to all those serving overseas—for example, in Germany. He also asked about the launching of the veterans card. It will be used to access commercial discounts or privileges, and we will consider how to expand it to include service families. It is linked to the relaunch of the defence discount scheme next year. It is not an ID card, for the reasons that we consistently gave in Committee and in the House.

On indexation, when the change was made from the retail prices index to the consumer prices index, none of us in the coalition Government wanted to see anyone in the public sector disadvantaged—but may I remind the Labour party that it left us with a £158 billion deficit, which has to be addressed? We will spend more on debt interest next year than on defence, the Foreign Office and aid put together. That is the scale of the problem, and it is the deficit deniers who are now on the Opposition Benches who put this country at risk. They had 13 years in office, yet they now have the audacity, after 12 months, to tell us that we are doing things at the eleventh hour. No credibility!

Mr James Arbuthnot (North East Hampshire) (Con): I congratulate my right hon. Friend on his statement, and Professor Strachan on his outstanding work. Does my right hon. Friend agree that members of the armed forces are the only people in the country who face competition between having enough ships, aeroplanes and bullets, and having decent accommodation and health care? What can we do about that competition?

Dr Fox: My right hon. Friend raises an important point, which we have grappled with in our approach to the covenant. The reason why equipment is not in the military covenant today is that the covenant for the welfare of our personnel involves a pact not just between the Government and the armed forces but between the whole nation and the armed forces. That includes local government, communities, charities and private individuals. The provision of the right equipment for our armed forces is a duty of the Government, and it should primarily be seen as the duty of the Government rather than of the wider national community. It is the Government who should properly be held to account for that.

Mr Bob Ainsworth (Coventry North East) (Lab): The Secretary of State's congratulations to the Royal British Legion are well deserved, because it was its campaign more than anything else that forced this most welcome retreat by the Government. He will know that what wound the Royal British Legion up more than anything else was the attempt to water down the involvement of the reference group in the monitoring system set up under the Command Paper on service personnel. He appears to be saying that that is now to be restored, and that that role will be fully implemented in the proposed reporting mechanism. Can he confirm that there is to be no watering down of the involvement of the reference group—the stakeholders and the service personnel charities, including the Royal British Legion itself—in the ongoing reporting on the covenant?

Dr Fox: I am grateful to the right hon. Gentleman for asking for clarification on that point, and I can give him this assurance, which, as he knows, I have given the House on a number of occasions. I have wanted to see a maximising of transparency on this, and I have therefore decided that the external reference group will be able to see the Secretary of State's report in advance and comment on it, and that we will publish those comments and any other representations at the same time as we publish the report of the covenant to Parliament.

Sir Menzies Campbell (North East Fife) (LD): I understand my right hon. Friend's attempt to draw a distinction between Government and community obligation, but is not the Government's responsibility also a moral one? For that reason, should we not recognise that the Government have a duty not to expose our armed forces to unnecessary risk, always to provide equipment that is fit for purpose, and to ensure that the operations that our men and women are obliged to take part in are always proportionate and legal?

Dr Fox: Legality has to be a foregone conclusion in this House if we are to take our appropriate place in the international family of civilised nations. As to the Government's duty in sending our armed forces into combat, I would say that they have two clear duties: one is to ensure that we maximise the chance of success of their mission; the second is ensuring the minimum risk to them in carrying out that mission. Both those duties

[Dr Fox]

imply that the armed forces must be properly equipped for any task that any Government ever send them to carry out.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I particularly welcome the Secretary of State's announcement about three cycles of IVF for the injured when they come back. He will know that that is virtually the first thing that the young men who return to the Queen Elizabeth hospital from Afghanistan will ask about. He also mentioned prosthetics. When it comes to rehabilitating soldiers, we are doing things with them—and doing them better—that are not yet happening in the NHS. What work is the Secretary of State doing to ensure that what we learn from the treatment of our veterans can be translated back to the NHS and the wider population?

Dr Fox: The hon. Lady makes two valuable points. As regards the first, on IVF, it is bad enough that we often deny mobility and life chances to individuals, but to deny them the chance of producing another generation is worse, particularly when it is something that we can avoid. We should avoid it, and doing so sends out an important signal about the pastoral care that we are willing to give to our armed forces. Today's announcement is a key one, which I think will be welcomed across the whole country.

On the hon. Lady's second point, I think many of us will celebrate the fact that the care we give our armed forces is so much better than others might receive in the NHS that parity is being demanded. That is not a bad position for a country to be in, in terms of the care it gives to service people. The work we are undertaking with the Department of Health will set out to see what lessons the NHS can learn from the treatment of those who have been injured in military action and I believe that that is a very proud moment for the country.

Dr Andrew Murrison (South West Wiltshire) (Con): I congratulate my right hon. Friend on making his statement and on its contents, and Professor Hew Strachan on his excellent work. Does my right hon. Friend agree that the "no disadvantage" enjoinder within the military covenant establishes a floor and not a ceiling, and that the men and women of our armed forces will particularly welcome the special provisions that he has announced even more than the commitment to establish the covenant and its principles on a firmer footing, which has so exercised the Opposition?

Dr Fox: May I take this opportunity—I hope on behalf of the whole House—to thank my hon. Friend and congratulate him on the work he has done, particularly on mental health and prosthetics, which the hon. Member for Birmingham, Edgbaston (Ms Stuart) mentioned? I am sure that his words will be much appreciated. It is important to set out these two provisions whereby there is no disadvantage to our armed forces, their families or our veterans in pursuing a military career, and whereby, if necessary, the rest of society accepts that special measures might have to be taken to recompense our armed forces personnel for the risks that they are willing to take for the safety and security of the rest of us.

Mr Brian H. Donohoe (Central Ayrshire) (Lab): I have always believed that how people are treated is very important, but that how our armed forces are treated is of paramount importance. The Navy personnel in my constituency are concerned about their future with regard to air traffic control, and also HMS Gannet. What progress has been made on the contract, and will it be placed at Prestwick?

Dr Fox: I am afraid that I cannot make an announcement on that today, although the hon. Gentleman will know that it is part of our wider considerations. I appreciate that the delay brings uncertainty, but it is important to get the wider defence decisions correct overall. As soon as I have any news on HMS Gannet, I will make sure that the hon. Gentleman is informed in the first instance.

Mr Julian Brazier (Canterbury) (Con): On Thursday we had the homecoming parade of the Argylls—the Argyll and Sutherland Highlanders, 5th Battalion The Royal Regiment of Scotland—who are based in my constituency. I met its last commanding officer, Colonel Richmond, who is at the end of a three-year recovery from a very severe wound to the leg. May I share with the Secretary of State the observation that he made, not on his own behalf but on behalf of others—that it really is crucial that we deliver on the commitment that wounded service personnel, for their subsequent treatment further down the line, do indeed get priority in NHS hospitals?

Dr Fox: If we are to honour the military covenant fully, it is essential for those who are injured in action to receive the acute care that they require—and I think the whole House would acknowledge that the level of acute care given to our armed forces personnel is of a world-beating standard—but there are often complaints about the follow-up care, chronic care, continuity of care and collocation of care that are also essential. We will need to take all those issues into account. Along with the Department of Health, we are trying to establish where we can collocate care so that individuals need not travel to six, seven or even eight places to receive the full range of care that the complexity of their injuries may require, as has happened in recent years.

Angus Robertson (Moray) (SNP): The Secretary of State is aware of the interest in veterans' affairs taken by my right hon. Friend the Member for Dwyfor Meirionnydd (Mr Llwyd). He is attending a conference on the subject at present, and was unfortunately unable to be here for the statement.

Many, if not all, of the issues involved in the covenant are devolved, and the re-elected Scottish National party Government have an excellent record of delivering for veterans in Scotland. Given the realities of devolution, why did it not even warrant a mention in the statement?

Dr Fox: When the hon. Gentleman reads the documents, he will see that there is ample mention of it. This involves all forms of government in the United Kingdom. I fully understand the position of the right hon. Gentleman and the interest that he normally shows in these matters. We want to work with the devolved Assemblies to ensure that provision that is based in England today is available to all service personnel, families and veterans throughout the United Kingdom. Individuals who serve under the Crown deserve to be treated equally, and we will want to work very closely with the Scottish and Welsh Assembly Governments to ensure that equal benefits are received throughout the UK.

One of the problems with the whole concept of putting rights into law is the potential for a constitutional clash between the Westminster Government and the devolved Governments, and we sought to avoid that. There was no basic disagreement with the RBL; it was simply a question of how we could best put what it wanted into law.

Stephen Gilbert (St Austell and Newquay) (LD): I welcome the historic step that the Government are taking today to honour the unique commitment that British service personnel offer our nation. However, may I press the Secretary of State to tell us what steps will be open to service personnel to redress the position when we fall short of the terms of the covenant?

Dr Fox: I hope that there will be no shortfall in our ability to honour the covenant, but the whole point of making the process as transparent as possible is to ensure that any future Government are fully exposed if they do not honour it. We are involving the external reference group to ensure that there is external pressure for that to happen, and to ensure that it is not simply a Whitehall-driven process. Ultimately, it will be for Members of Parliament in the first instance, representing their constituents in the armed forces, to detect whether, in their view, the Government have in any way fallen short of the standards that we have set ourselves today.

Mr David Hamilton (Midlothian) (Lab): For decades many members of the armed forces have felt betrayed by Governments of all colours, so this is not a party-political issue. I am glad that the Secretary of State is going to take a line from Midlothian council, which has always held priority housing for those who leave the armed forces. I welcome his conversion, and the fact that he has finally taken that need on board. However, may I raise the issue of post-traumatic stress, with which many of us are only just coming to terms? Would it not be helpful for everyone who leaves the armed forces to be given an annual check-up, all the way to the grave? Post-traumatic stress can arise five, 10, 15 or 20 years after the event.

Dr Fox: Again, I note the ingenuity of Members. The hon. Gentleman has raised two very good points.

There are clearly instances of best practice from which we can learn in relation to access to public housing. When it comes to access to the private housing sector, one of the problems is an inability to acquire a mortgage. That applies particularly to those who have served overseas and have been out of the country for some time. We are examining ways of dealing with the problem, and the Minister for Housing and Local Government is looking into it at the moment.

The issue of post-traumatic stress disorder is crucial. One reason why we have introduced routine mental health screening into the medical examinations of those about to leave the armed forces is to try to identify best those who may require additional follow-up. As scientific and medical evidence develops to help us with profiling, we may well be able to have programmes that allow follow-up for a longer time. We are working closely with the United States on building up a profiling picture. The hon. Gentleman is absolutely correct to say that this may take some years to develop, at least in terms of the symptomatology, so we will need to look at ways of better predicting the effects, and identifying and following up individuals. We might have to identify them, because self-identification in mental illness is notoriously difficult.

Bob Stewart (Beckenham) (Con): I very much welcome the establishment of the military covenant in law. On 6 December, it will be 29 years since 33 soldiers in my company were wounded. We often tend to forget soldiers and servicemen and women who were wounded a long time ago. I hope that the military covenant in law will increase Government responsibility to care for those who were wounded, regardless of which war or conflict they served in.

Dr Fox: I agree with my hon. Friend, who, of course, has considerable experience in this area. First, I would echo the point made by the hon. Member for Midlothian (Mr Hamilton) about mental health care being one aspect of long-term care. The Government have given a high priority to that, because the invisible wounds of war are just as damaging as those that we can see. I do not put the blame on any one particular Government, but as a society we have been too slow to recognise that. We are increasingly recognising it now, however. Secondly, medical care will improve in certain areas. Prosthetics, for instance, have come a long way. Individuals are having to be reassessed in the NHS, given the new capabilities that prosthetics may bring and the new lease of life that they may give to individuals, including those with long-term injuries relating to service in the armed forces.

Nick Smith (Blaenau Gwent) (Lab): Armed forces pensioners are disappointed that the Government have introduced CPI instead of RPI in relation to pension increases. Will the Secretary of State seek to include long-term housing costs as part of the pensioner deal for war widows and badly injured service personnel?

Dr Fox: As I have already said, changes in respect of RPI and CPI apply across the public sector. Many of us would like not to have to make such changes at all—we have no desire to do so—but we were forced to make them because of the financial situation that we inherited. I understand the sincerity of the hon. Gentleman's point, but it does not matter how much Opposition Members mean it, because there is no money to do the things that they want. Do they propose that we raise more taxes or borrow more money to fill the hole? If the Labour party is serious, it will fulfil what it was asked to do by its own leadership, which is not to make any spending pledges whatsoever, unless agreed by the party's leadership. So I ask, is the reversal of the CPI/RPI change now Labour policy?

Kris Hopkins (Keighley) (Con): I welcome the statement and the leadership offered by the Secretary of State and the Prime Minister. I recognise the contributions by groups such as my local British Legion, which has sought to secure the covenant through its very active campaign. Does the Secretary of State agree that the incorporation of the covenant in law begins to address

[Kris Hopkins]

the gross betrayal of our British forces and their families by the previous Labour Government, who sent troops into war without the right equipment?

Dr Fox: Some of those equipment issues from the past have been well rehearsed in the House and the House has decided where some of the blame lies. It is very important that we try to take today's announcement in a non-partisan way and to build on it with a national consensus, because the public out there will welcome this irrespective of their politics and, indeed, even if they have no politics at all. The way in which this has been done, the compromise that we have reached on the complex difficulties that we face and the balance that we have tried to obtain will be welcomed by the service charities and the armed forces. I think that the whole country should take pride in the fact that we are, as a nation, putting a covenant between the whole nation and the armed forces into law in this way.

Paul Flynn (Newport West) (Lab): Recalling the second Iraq war and the Helmand incursion, should not the first line of the covenant read, "This Government will never put in deadly peril the lives of our armed services in conflicts that are avoidable or vainglorious"?

Dr Fox: I know well the hon. Gentleman's reservations about the conflicts in Iraq and Afghanistan, and possibly about any conflict imaginable in any part of the globe. Our armed forces are primarily there to protect the security of this nation. We are very fortunate that we have people willing to volunteer—every one of them is a volunteer—to put life and limb at risk for our security. Governments do not lightly send our armed forces into combat; they are answerable for their actions in this House of Commons and to the wider electorate. We should be grateful that this country still has those who are willing to make those sacrifices for us.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I very much welcome my right hon. Friend's statement and look forward, with interest, to reading his proposals for improving the mental welfare services for ex-servicemen in this country. May I just ask him to make an awkward clarification? I am sure that he has an answer to this question. This military covenant strengthening is clearly intended to bring an uplift to the services available to our veterans and this will have to be funded from within the defence budget. Will the extra resources have to be found from within the existing defence budget or can he assure us that they will be provided by the nation as a whole, by the Exchequer?

Dr Fox: My hon. Friend, again, makes an important point. Some of the costs will be met directly by the Treasury, for example those relating to council tax relief. Some money, such as the funding above the pupil premium, comes from the funding we earmarked within planning round 11, and some comes from other Departments, for example, the Department of Health. It is very important that we recognise that the military covenant is not just an issue that relates to the Government, the nation and the armed forces; it is also a cross-government effort, which does not begin and end inside the Ministry of Defence.

Chris Bryant (Rhondda) (Lab): Can the Secretary of State clarify something? The council tax relief increase from 25% to 50% applies to second homes where service personnel live in MOD properties or in their first homes where they are living in other properties, but is that mandatory for all local authorities in England or does this apply in England, Wales and Scotland? Would it not be better to make the figure 100%, because it is up to the local authority to make that provision if it wants to, and some local authorities in Wales are now doing that?

Dr Fox: As I said, the increase will go to all those who currently get the 25% discount and they will now be eligible for the 50% rate. I am sure that some councils may wish to go further but, given the current financial environment, I doubt very much that they will be able to do so.

Claire Perry (Devizes) (Con): Many of the details of the covenant will be warmly welcomed in my constituency, which is home to more than 10,500 serving armed forces personnel, including Sergeant Gavin Harvey, who two years ago lost substantially his entire lower body in a land mine incident. He is very concerned about the future supply of not only prosthetics, but wheelchairs and mobility aids. Can the Secretary of State assure me that that will be included in the review and can he tell us when we might expect to hear more about that later this year?

Dr Fox: I am aware of the individual mentioned by my hon. Friend. Some extraordinarily severe injuries have been sustained by our armed forces personnel and it is testament to the skill of the medical profession that many of our personnel have been able to survive their injuries. Those of us who have visited Selly Oak, for example, will have marvelled at the medical capabilities and at what they have been able to do. There is, however, another side to this medical skill, which means that more people are able to survive these injuries than previously would have been the case and there are more severe disabilities as a consequence than there would otherwise have been. Part of the work we have been doing not just with prosthetics but with wider health care is to tackle that. This is emerging science and the House must understand that this is cutting-edge medical science. We, along with other countries such as the United States, are pioneering medical techniques to enable those individuals to live as full a life as medical science makes possible.

John Woodcock (Barrow and Furness) (Lab/Co-op): I am sure it was a slip in the heat of the moment, but in responding to the question from my hon. and gallant Friend the Member for Barnsley Central (Dan Jarvis) during Question Time, the Secretary of State neglected to guarantee that reservists would get continuation of employment and that that would not be considered as red tape by the Government. May I give him another opportunity to do so?

Dr Fox: I was not evading the question; I said that it is part of the wider review of reservists. My hon. Friend the Member for Canterbury (Mr Brazier) is a member of that review and we want to ensure that we consider all the issues relating to reserves—the basing, the functions, the funding, the relationship with the regular forces and so on—including how issues of employment are tackled. We have been very keen to look at the experience in this country and overseas and will make an announcement, I would have thought, before the summer recess.

Mr Marcus Jones (Nuneaton) (Con): I welcome the statement from my right hon. Friend. With about 2,800 veterans currently in UK prisons, to date support for our armed forces veterans has clearly been inadequate. Will my right hon. Friend assure my constituents that enshrining the covenant in law will give our brave servicemen and women far more support both during and after their service, which will lead to far fewer of our brave veterans winding up in prison?

Dr Fox: As my hon. Friend knows, there is considerable debate about the numbers of the armed forces as a proportion of the prison population. I think we can say that for many of those who end up in prison, particularly those who have been homeless or who have been subject to drug and alcohol problems, it represents a failure of other systems to provide a suitable safety net. As a country, when we consider issues such as mental health, we need to ensure that we do not allow those who are potentially vulnerable to fail to be picked up by the services that might prevent them from ending up in an inappropriate institution such as prison.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): I am fortunate to have Combat Stress in my constituency. What funding mechanism will be used to distribute the £30 million and will it be open to charities such as Combat Stress to apply?

Dr Fox: It will. It will be settled by bids coming to the Ministry of Defence and any funding project that a community might undertake will be eligible for that. I am sure that the hon. Lady, knowing her, will be one of the first in the queue.

Simon Hughes (Bermondsey and Old Southwark) (LD): Tributes have rightly been given to the Royal British Legion, whose UK headquarters are in my constituency, for its fantastic campaign, which has led us to today. Will the Secretary of State assure us that the implication of his announcement on the covenant is that those leaving active service and leaving the services will be entitled thereafter to housing, if they do not have it, and to prompt and continuing health care, particularly mental health care, from the time that they are discharged?

Dr Fox: We cannot give guarantees on housing because the Government do not make direct provision of housing, but we will want to work with local authorities to ensure that the aspirations set out today are put forward in as practical a way as possible. On health care, I have made the point on innumerable occasions. I am pleased that so many points have been made about mental health care, because 10 years ago they would not have been made in this House of Commons; there is a shifting societal view of it. It is very important that we get timely health care. As I said in response to the hon. Member for Midlothian (Mr Hamilton), it is important that we try to profile, where we can, those who might be the most vulnerable so that we can give them the closest follow up. As is true in mental health generally, those who suffer from mental health problems might be the last to recognise that it is a problem and therefore be one of the last to present. We must try to ensure that we have a mechanism to identify them rather than depending purely on self-identification.

Richard Drax (South Dorset) (Con): As a former soldier, I fully support the military covenant, but does the Secretary of State have any doubts about whether enshrining even the principles in law could lead to bitter disputes in court with devastating consequences for the relationship between Government and the armed services?

Dr Fox: My hon. Friend makes an important point that is key to this whole debate. As I said earlier, we had a duty to try to get a balance between, on the one hand, wanting to preserve the chain of command and, on the other, the legitimate interests of the wider service community, charities and the public. We did not, therefore, want to create a set of rights that could have had the armed forces tied up in European courts for ever, which would have been an utterly inappropriate use of their time and funding, but we did want to set out in the law of this land the principles about where there should be no disadvantage and where there should be special care, if required. It will be against those principles that future Secretaries of State for Defence will be judged and I think the balance is appropriate. We have looked at all the legal implications in great detail over a very long time and we believe that this is an appropriate balance to strike.

Dan Byles (North Warwickshire) (Con): As another former serving soldier, may I, too, warmly welcome the Secretary of State's announcement today, particularly the very clear message that this is about more than just the MOD? Does he agree that if we are going to make this work, it might be time to review the way in which other Departments, such as the Department for Work and Pensions and the Department of Health, manage the way in which they deal with soldiers, veterans and reservists?

Dr Fox: I must tell my hon. Friend that the Prime Minister has made it very clear to all my Cabinet colleagues that the military covenant does not apply just to the Ministry of Defence, but is entirely a cross-departmental responsibility. All members of the Government—indeed, all Members of Parliament—have a duty to ensure that what we are putting in place today is applied equally across all parts of the United Kingdom and across all parts of government.

Conor Burns (Bournemouth West) (Con): It is generally accepted that more members of the Falklands campaign committed suicide after that campaign—

Mr Kevan Jones (North Durham) (Lab): Not true.

Conor Burns: Or may have committed suicide after that campaign than died in active service. Has my right hon. Friend the Secretary of State—*[Interruption.]* These are very serious matters. Has my right hon. Friend had time to see the figures from Combat Stress indicating that further to our activities in Iraq and Afghanistan,

[Conor Burns]

some 48,000 veterans may suffer from some form of mental health problem in the years ahead? May I say that his commitment today that the unseen scars of war will be treated as seriously as the physical ones is to be warmly welcomed?

Dr Fox: I used those figures myself in opposition, but may I say to my hon. Friend that there is dubiety about the actual numbers? However, let us cast that aside because the important point is that if any of those people who suffer from mental illness ultimately commit suicide, we have failed them. It is therefore very important to try to identify individuals who could be at risk, because the loss of someone's life, at their own hand, after they have survived the rigours of combat is a tragedy not just for that individual but collectively for the country.

Dr Julian Lewis (New Forest East) (Con): I do not wish to denigrate the legal profession as a whole, but does my right hon. Friend accept that there is a certain type of lawyer who specialises in persuading victims to bring court cases that otherwise might not, and indeed ought not, be brought? Is he satisfied that there will be enough safeguards to prevent that sort of abuse from happening as a result of putting into law the military covenant?

Dr Fox: I have a sister who is a doctor and a sister who is a lawyer. My father used to say we had the best of both worlds—the licence to steal and the licence to kill—but I have never taken such caricatures as necessarily being the honest truth. I will not be tempted down the road where my hon. Friend tries to tempt me, except to say that in striking a balance in the legislation, we have sought to minimise the risk of the kind of behaviour that he mentions, while trying to ensure that we honour our responsibilities and give a sound legal basis to the covenant that we are putting forward.

Bob Russell (Colchester) (LD): The coalition Government can take pride in the fact that in our first year we have introduced legislation to enshrine in law the armed forces covenant. I pay tribute to the Royal British Legion for what it has done. I am delighted that the Secretary of State has told us that in Cabinet there is cross-departmental support. With that in mind, will he give me an assurance that the need for funding to improve and modernise the family accommodation of our brave service personnel will be put on the agenda?

Dr Fox: I am grateful to acknowledge the long-running support that my hon. Friend has given on these matters. He will be extremely pleased today that we have managed to achieve what we have. With regard to the speed at which we can make some of the improvements to accommodation, we are limited by budgetary constraints. We will want to go as quickly as we can. We fully recognise, as we have set out, what our responsibilities are. We also have, as I hate to point out, a wider responsibility to be fiscally conservative, to bring our budget back within affordability and to restore the nation's economy to health, because that gives us the ability in the longer term to make the investments that we all want to see.

Robert Halfon (Harlow) (Con): In Harlow recently, we had a special service to remember those fallen since the second world war, particularly in recent years. Their names are inscribed on the memorial. Will my right hon. Friend ensure that the military covenant helps facilitate the remembrance of soldiers fallen since the second world war, and that some of the grant that he mentioned is used to help communities put those names on memorials throughout the country?

Dr Fox: I refer my hon. Friend to the community covenant grant that I mentioned. I will want to see whether we can widen the scope of that to include the sort of issue that he mentions. The remembrance of those who have given their lives for the security of this country should not be kept only within the generation in which it occurred. We should constantly remind every generation of it.

Mr Robert Walter (North Dorset) (Con): Many thousands of both serving and retired military personnel and their families in my constituency will welcome today's statement. Among the several thousand service men and women serving at Blandford Camp are a number of soldiers from Commonwealth countries who have enlisted in the British Army. Can the Secretary of State confirm that the military covenant includes soldiers and their families from Commonwealth countries?

Dr Fox: In so far as they have the same rights as anyone else to access public facilities, yes, it will. For some there are complex issues relating to nationality, but as I said, we are setting out today a cross-governmental arrangement. I want to consider some of the complex issues relating to those from Commonwealth countries. In particular, I want to ensure that we fully recognise that those who make the sacrifices share in the benefits.

John Glen (Salisbury) (Con): I welcome my right hon. Friend's statement. Will he indicate his willingness to examine how compensation is paid to members of the armed forces who are injured? Currently, many of those who are badly injured and rightly receive many hundreds of thousands of pounds are at great risk of exploitation when inadequate or no financial advice is available on how to invest that money so that it is available in the years ahead. What relevance has today's announcement for that?

Dr Fox: My hon. Friend makes a very interesting point. I will undertake to have some work begun in the Department to see where we are on that subject. It is obviously crucial for the long-term welfare of those who receive such payments that money is invested in a wise way that can maximise return over the longest period. He raises a crucial point and I will ensure that further work is done. I will report back to the House on that on a future occasion.

Christopher Pincher (Tamworth) (Con): I welcome my right hon. Friend's announcement of the practical measures to give effect to the armed forces covenant. Is he aware that such varied voices as those of the Adjutant-General, the deputy Chief of the Defence Staff, the Second Sea Lord and Bryn Parry of Help for Heroes all made it clear in evidence to the Armed Forces Bill Committee that they much prefer a flexible covenant of principles enshrined in law, rather than a set of prescriptive measures that might see our soldiers marching off to court as regularly as they march off to war? Does my right hon. Friend not think that their measured and sensible approach is the right one?

Dr Fox: Indeed I do; that is reflected in the balance we have set out today. There was something of a false debate between the Government and the service charities, especially the Royal British Legion, but they were always very clear that the outcome would be right for our armed forces. It was simply a debate about the best mechanism to achieve that. I think that we have achieved that balance properly in the proposals we have set out today. I hope that it will be widely welcomed by the service charities, which have given a great deal of impetus to the campaign and deserve credit for today's outcome.

Andrew Stephenson (Pendle) (Con): What the Secretary of State has said today will be welcomed by many, particularly those in the Nelson and district branch of the Royal British Legion, whom he met and discussed the matter with when he last visited Pendle. Of particular concern to many is how the Government can help servicemen and veterans with housing. I was wondering whether he could say more on that today.

Dr Fox: For obvious reasons, I well remember that visit to Pendle. As I have said in response to earlier questions, we are looking at how we can best improve access to housing, in the public sector by looking at best practice across the country in conjunction with local government, and by considering how we can remove some of the impediments that armed forces personnel might face in trying to get on to the housing ladder in the private sector. It is important that they can share in the prosperity of a property-owning democracy.

Mark Reckless (Rochester and Strood) (Con): We have an unusually high proportion of veterans in the Medway towns, and one of our concerns is that too often they fall between the cracks when it comes to mental health services. I am delighted by what the Secretary of State has said about plans for proactive follow-up for cases of post-traumatic stress disorder; it might help those who might not otherwise present with symptoms. Is there more we can do to work with GPs to ensure that they consider whether someone coming into the surgery might be ex-forces and suffering from PTSD?

Dr Fox: My hon. Friend makes a useful point. We have, of course, been trialling our new website and are looking at examinations at the point when personnel leave the armed forces. One issue that I failed to mention and ought to have done is the need to get better information to GPs. I remember practising as a GP and having absolutely no education—*[Interruption.]* I meant in the specific, not the generic. I remember that when I first worked with the armed forces as a doctor it came as a surprise to me how little specific training I had had on their particular needs. I hope that that is now being redressed by the British Medical Association and the Royal College of General Practitioners, because if the doctors do not know what to look for, they are far more likely to miss the problems.

Mr Peter Bone (Wellingborough) (Con): Today has been a great day for parliamentary scrutiny. We had an Armed Forces Bill before Parliament. We had a campaign by the Royal British Legion. We had MPs on both sides of the House concerned about the issue. We had a Secretary of State and a Prime Minister who were willing to listen. This seems to me to be the way forward. Will the Secretary of State confirm whether he will accept the amendment to the Bill tabled by my hon. Friend the Member for Kettering (Mr Hollobone), or will he bring forward his own amendment?

Dr Fox: As I said in my statement, we will bring forward Government amendments to put into effect what I have set out in my statement.

Alun Cairns (Vale of Glamorgan) (Con): The Secretary of State and his ministerial team should be congratulated, as should the Royal British Legion on its role, but, if an authority does not meet its obligations under today's statement and the subsequent legislation, what consideration has the Secretary of State given to a swift and informal process at the most basic level to ensure consistency throughout the United Kingdom and redress?

Dr Fox: I understand why my hon. Friend makes the point that he does, but first it will be up to the Government to try to persuade the other elements of government—local government and the devolved Governments—to make the same provision as we want to set out in the covenant; and then, ultimately, it will be up to the public, as they are part of the covenant, to ensure that whatever the level of government, it lives up to its promises. I hope that one of the ways in which the British public will honour the covenant is by putting pressure on those who deliver services to ensure that they deliver them fairly, throughout the country and throughout government, for all service personnel, their families and veterans.

James Morris (Halesowen and Rowley Regis) (Con): I welcome the statement and, in particular, the comments on community-related issues. Does the Secretary of State agree that it is important that local authorities and community groups work with local legions to find appropriate solutions for our veterans?

Dr Fox: Again, that is one of the essential parts of the covenant. It is not just about what government does for the armed forces, but about what the nation does for our armed forces. That applies to central Government, to devolved Government, to local government, to no government at all, to charities and to the private sector. Everybody, including individuals, has a role to play, and I hope that if one thing unifies the House and the country it is that we are making a pact in law, and setting it out today in this House of Commons, between all of the country and the armed forces—something that never again should be broken.

Points of Order

4.37 pm

Helen Jones (Warrington North) (Lab): On a point of order, Mr Speaker. In a recent debate in Westminster Hall, the Minister of State, Department of Health, the right hon. Member for Chelmsford (Mr Burns), suggested that one way of solving the problems of Whiston hospital would be a merger with another trust. Given that the obvious trust for a merger is North Cheshire Hospitals NHS Trust, that suggestion has caused widespread concern in my constituency about a possible loss of jobs and services from Warrington hospital. Is there any way in which you, Mr Speaker, can urge a Minister to come to the House and make a statement about their plans for health services in the area? So far, they have failed to address the concerns that my hon. Friend the Member for St Helens North (Mr Watts) raised about Whiston and are now causing real concern about the future of Warrington hospital.

Mr Speaker: I am grateful to the hon. Lady for her point of order, but I fear that she invests me with mystical powers that I do not possess. She is a very experienced and indefatigable Member, who will be well aware of the avenues open to her to pursue such matters—and of which I feel sure she will shortly take advantage.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. Earlier, the Secretary of State for Defence said in his statement, "I can tell the House this afternoon that the Government will bring forward amendments". He is completely and utterly delusional, because he was not announcing anything to the House; it was announced in the national newspapers for all and sundry to see on Saturday and on Sunday. Indeed, I understand that the Prime Minister was expressly going to make the announcement on Sunday, only to be beaten to it by the Under-Secretary of State for Defence, the right hon. Member for South Leicestershire (Mr Robathan), who on the record gave quotations to *The Daily Telegraph*. I understand that he was given the hairdryer treatment, but is it not time that you, Mr Speaker, gave the hairdryer treatment to Ministers who keep on doing this, week in, week out?

Mr Speaker: I am grateful that the House has had the opportunity to question Ministers on the statement made today. I note what the hon. Gentleman has said, and I saw the newspapers myself over the weekend. I think that the Secretary of State has left the Chamber, but if a Minister from the Ministry of Defence, possibly the right hon. Gentleman to whom reference has just been made, wishes specifically to respond, he can do so.

The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan): Thank you, Mr Speaker, for allowing me to respond. If the hon. Gentleman cares to read what was in the newspapers, he will discover that what he has said is not in fact in any way correct.

Mr Speaker: We must leave it there for today.

Jim Dowd (Lewisham West and Penge) (Lab): On a point of order, Mr Speaker. I, for one, certainly do believe you have mystical powers. May I seek your guidance in relation to the next item of business? I think the whole House is aware of the rules relating to sub judice when matters are put before the courts and are under consideration by them. The next item of business could easily become a matter for criminal investigation; indeed I, for one, believe that it should become one. Could you offer any guidance as to whether that imposes a similar constraint on what might be said in the debate on the next item?

Mr Speaker: The issue that the hon. Gentleman raises is, at this stage, a hypothetical matter, and it would be very unwise for the Speaker to speculate on a hypothetical situation. I know that the hon. Gentleman would not expect me to do so, and I will not. What I would say to him and to the House is that whether or not there are to be police inquiries into any particular matter is not a matter for the Chair. Unless a criminal charge has been brought, the matter is not sub judice. Today is the opportunity for the House to debate any matters covered by the report of the Standards and Privileges Committee. I am genuinely grateful to the hon. Gentleman for his point of order, and I hope that he found the response helpful.

Standards and Privileges

4.41 pm

The Leader of the House of Commons (Sir George Young): I beg to move,

That this House—

(1) approves the Fifteenth Report of the Committee on Standards and Privileges (House of Commons Paper No. 1023);

(2) endorses the recommendation in paragraph 39; and

(3) accordingly suspends Mr David Laws from the service of the House for a period of seven sitting days, beginning on Tuesday 7 June.

It is always regrettable when the House finds it necessary to suspend an hon. Member, as it does today. The facts of the case are set out in detail in the Parliamentary Commissioner for Standards' report to the Standards and Privileges Committee. The Chair of that Committee may catch your eye in a moment, Mr Speaker, so I will not rehearse them.

This has been a lengthy inquiry, not least because the right hon. Member for Yeovil (Mr Laws) invited the commissioner to examine every aspect of his claims for additional costs allowance over an eight-year period. The commissioner has completed his inquiry as quickly as is consistent with the need for absolute rigour, and a complete chronology is set out at paragraphs 29 to 34 of his report. On behalf of the House, I would like to express our thanks to the Committee and to the commissioner and his team for their fair, diligent and impartial work in this case, and indeed in other cases. It is clear that the Committee has considered the commissioner's findings carefully and has taken into account all the circumstances of the case in arriving at its recommendation of a seven-day suspension.

The House will recall press speculation in the days before the report was published. The question of whether this was a result of premature disclosure of the Committee's report and, if so, by whom, is a matter for the Committee itself to consider, and I understand that the Chair of the Committee has announced an inquiry into this.

It has been the practice of this House to endorse the findings of the Committee on Standards and Privileges, and I invite hon. Members to do so this afternoon.

4.43 pm

Helen Jones (Warrington North) (Lab): May I begin by echoing the thanks of the Leader of the House to the Commissioner for Standards and to the Committee on Standards and Privileges? The nature of the matters that they had to investigate required a detailed investigation by the commissioner and careful scrutiny by the Committee, and the whole House is grateful to them for their diligence.

The matters under consideration that have led to the motion on today's Order Paper are extremely serious ones that concern breaches of the rules over the very long term. No one should underestimate their seriousness. The commissioner found that from 2001 the right hon. Member for Yeovil (Mr Laws) submitted lodging agreements that gave a false impression of his relationship with his landlord and of their shared use of successive London properties. The commissioner found that he claimed higher rent for the use of two London properties than was justified either under the terms of the lodging agreement or as a reflection of the arrangement that he had for living with his partner in those properties.

The commissioner also found that the right hon. Gentleman wrongly claimed for building work on the second property that should have been covered by the rent. In addition, he dealt with the separate matter of wrong claims for phone bills, which, as Members who have been here for some time will know, were not claimable under the additional costs allowance.

I think it fair to remind the House that the commissioner reached his conclusions based on the standards expected at the time, and not under a retrospective reinterpretation of the rules. *[Interruption.]* A Member on the Government Front Bench is saying that that is not right, so perhaps I can clarify the matter for him. Claims for phone bills in Somerset and for a mobile phone were judged by the commissioner not to be claimable under the additional costs allowance, because the ACA related to a London property. Those were the rules at the time.

In considering the report, the Committee made it clear that it agreed with the commissioner that from 2005 onwards the right hon. Gentleman's main home was, as a matter of fact, in London, not in Somerset. The rules at the time made it clear that any hon. Member who was in doubt about which property they should declare as their main home should have sought advice. The right hon. Gentleman failed to do so.

The Committee endorses many of the commissioner's conclusions. It makes clear the seriousness of the breaches in agreeing with the commissioner's conclusion that while the arrangement for the first property may have represented a good deal for the landlord, it did not represent a good or even a reasonable deal for the House. The Committee also makes it clear that the breaches in relation to the second property were even more serious, because the right hon. Gentleman had made a significant financial contribution to the purchase and upgrading of the property.

The right hon. Gentleman has said that he was concerned to preserve his privacy. However, it has always been the rule of the House that when personal interests and the public interest conflict, matters should be resolved in favour of the public interest. Sadly, we therefore have to conclude that, because the breaches were serious and took place over a long period, the penalty that the Committee proposes of a suspension from the House is the right one. The Opposition therefore support the motion.

4.47 pm

Mr Frank Field (Birkenhead) (Lab): May I ask the Leader of the House two questions that arise from the report? First, how does the Committee on Standards and Privileges go about its business to ensure that one judgment is consistent with another? The second question relates to how long it takes for inquiries to be completed in the way that the Leader of the House has described.

On the first question about equity between Members, we are not in a position to know how many Members from the previous Parliament will end up in court. I therefore do not wish to cite examples of Members from the previous Parliament whose record of claiming moneys from the public purse was, on the face of it, pretty appalling. However, so far, some of those Members

[Mr Frank Field]

have not even had their knuckles rapped with a ruler, let alone been the subject of a report of this nature, which is handed into the House for it to comment and vote on. Will the Leader of the House tell us something about how the Committee goes about its work to ensure that in judging one Member it bears in mind the behaviour of and the judgment it has come to on another Member?

My second question relates to the length of time the inquiry has taken. Many Parliaments ago, I was asked to chair the Social Security Committee. One of our tasks was to look at the Maxwell theft of pension funds. We confronted layer upon layer of deceit. We completed our task, made our recommendations, suggested the shape of a new pensions Act, and were invited by the then Secretary of State to shape that pensions Act within a year—less time than it has taken to undertake this inquiry and report back to the House. I would be grateful if the Leader of the House addressed whether the speed, thoroughness and consistency of the commissioner's work is appropriate.

4.49 pm

Mr Kevin Barron (Rother Valley) (Lab): I will pick up a couple of points that my right hon. Friend the Member for Birkenhead (Mr Field) has just made, but I first wish to say something about the leaks that have occurred. There have been two types of leak in connection with the report. First, from Sunday 8 May onward, there has been a steady trickle of comment on the memorandum of the Parliamentary Commissioner for Standards to the Standards and Privileges Committee, which was, as is customary, sent to the right hon. Member for Yeovil (Mr Laws) for his comments as well as to Committee members and to the Attorney-General, whom Standing Orders make our adviser. My first impression was that that comment could well have been based on informed speculation, but I no longer hold that view, because on Wednesday morning the Committee's recommendation was leaked to the media. We immediately instigated a leak inquiry, and it is not appropriate to say more at this stage, as that inquiry is now ongoing.

I will pick up two issues raised by my right hon. Friend the Member for Birkenhead. One is the length of time taken. He will see from reading the report that it goes far wider than the allegations that were made against the right hon. Member for Yeovil in the media last May, and I suspect that that was one reason for the time taken. However, I say to my right hon. Friend that the timing is wholly in the hands of the commissioner, who reports to the Committee and publishes a memorandum when he is ready to do so. The evidence that he takes is entirely a matter for him.

The other issue that my right hon. Friend has mentioned concerns the comparison of one case with another. I will mention in my speech the circumstances of this particular case and why we have come to the recommendations before the House. I have not commented on the matter before, because I believe it is for the House to judge, not the media or commentators. The extent of reporting of what the commissioner and the Committee would say, and what it would mean for the right hon. Member for Yeovil, has been unfortunate. It meant that the press have perhaps not looked as carefully as they might have done at what we actually said.

The Committee has been attacked from one side for being too severe and from the other for being too soft. It would be complacent to say that we got it about right, but I wish to set out what the report says and why we said it. First, I urge those who say that the Committee has been too severe—many of them are in this House or in another place—to examine what the Committee actually found and the way in which that compares with other breaches.

From 2006 onwards, the arrangements of the right hon. Member for Yeovil were simply and explicitly against the rules, because he rented from a partner. He has said that he did not regard his landlord as his partner for the purposes of the Green Book. In 2007, he gave his landlord £99,000, which was a free gift but which was put towards the purchase of a London property that the two shared. He also contributed to building work. As the report states:

> "Mr Laws had made significant financial contributions to the purchase and upgrading of the property. Such commitments are unusual between landlord and tenant, or even between friends. In consequence he should have had no doubt that he and his landlord were 'partners' for the purposes of the Green Book."

Mr Kevan Jones (North Durham) (Lab): My right hon. Friend will have seen the volume of appendices to the report, which includes evidence from Mr Laws such as a rental agreement, which states at item 5:

> "The Lodger will be responsible for any damages or breakages caused by him/her".

How could the claim of £2,000 for renovation work be covered by that? There is no other reference in any of the agreements to any contribution that the lodger should make to any major renovations of the property.

Mr Barron: That is true. The commissioner commented on that claim in his memorandum, and it was taken into account when we came to make the recommendations that are before the House.

The right hon. Member for Yeovil was in breach before the financial contributions that I have described, by wrongly claiming that his main home was in Somerset rather than in London. It is clear that he was not the only Member who designated the wrong property. When the pattern of nights spent at two properties were changing, it would be easy to assume that the main property was the one on which a mortgage was held. If that were the main issue in the period up to 2006, it might easily have been put right, but the problem was that the right hon. Gentleman's conduct was designed to hide his real circumstances, which formed a pattern with his later breach of the rules.

There has been a great deal of press comment on this case, much of it before the Committee reported. It has been suggested that the right hon. Gentleman saved the public money, and that that makes his conduct all right. It is certainly possible that other, proper arrangements might have been more expensive. Clearly, there could have been substantial claims against the Somerset property, but they were not made, so we cannot know precisely what would have been approved. We must judge the arrangements that were actually in place, not arrangements that might have been made. As the report says:

> "Mr Laws contends that the payments were lower than they would have been had he claimed on his Somerset home, or made other permissible arrangements. In our view, it is inappropriate to

> judge whether the claims on property A are appropriate by reference to potential payments on another property, which is not in fact claimed for."

Mr Andy Slaughter (Hammersmith) (Lab): The Committee has dealt with the false representation allegations—the appropriateness of the penalty, which hon. Members are here to judge, does not matter—but my submission is that it has not dealt adequately with the quantum of claim, other than by saying that the rent was above the market rent and that there were

> "contributions towards building repairs and maintenance".

The Committee and the commissioner did not go into the fact that the rent was up to 50% more than the market rent, or that sums of up to £100 a month were being charged for each of council tax, utilities, parking the car in the driveway, maintenance repairs and the purchase of capital equipment. Why has the Committee not dealt with those sums on aggregate? That is a huge amount of money for a lodger to pay to his landlord.

Mr Barron: My hon. Friend may wish to comment on that further, but I wish to make my comments on behalf of the Committee.

What is clear is that the rents charged to the public purse were excessive, and that charges were made for repairs that would not have been included in any normal rental arrangement. It is impossible to tell exactly how much more was charged than should have been, but that is because of the right hon. Gentleman's desire for secrecy.

Mr Kevan Jones: Will my right hon. Friend give way?

Mr Barron: No—I shall just carry on for a few minutes, if my hon. Friend does not mind.

The commissioner's report suggests that the public purse was overcharged by between £80 and £270 per month, even in comparison with assured shorthold tenancies. Property advisers considered that the rent in the right hon. Gentleman's lodging agreement was between £209 and £370 a month higher than the market price.

The right hon. Gentleman and his supporters say that he acted to preserve his privacy. Extensive press briefings suggested that the breach would be somehow less blameworthy if that were the case, but the commissioner expressed his sympathy for the right hon. Gentleman, and the Committee recognised his motivation. However, there were other ways to preserve privacy. He could have refrained from claiming. Alternatively, he could have designated his main home properly, which would have meant that there would be no need to conceal receipts that might have identified his landlord.

The right hon. Gentleman instead took the decision to preserve his privacy by concocting a rent agreement and, wherever possible, claiming below the receipts threshold. He told the commissioner:

> "After the receipts threshold changed I reduced my claims below the threshold."

Ultimately, as the report says, this case is about the fundamental principles of the code of conduct, which says, and has always said:

> "Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once…in favour of the public interest."

As the Committee said:

> "We consider the rental agreements submitted between 2003 and 2008 were misleading and designed to conceal the nature of the relationship. They prevented any examination of the arrangements that in fact pertained over the entire period."

That is why this case is worse than many others in which the commissioner has found there has been a breach of the rules of the additional costs allowance. In many of those cases, the Members concerned had consulted the department of finance and administration, and in some cases both the department and independent valuers, so there was no intention to deceive. In one case, the Member's circumstances changed, so that arrangements that were expected to be temporary lasted longer than expected.

In contrast, the case before us involved a deliberate attempt to conceal the Member's real living arrangements that continued for many years. It is clear that he recognised the potential conflict between the public interest and his private interest. By omitting to seek advice, however, he made himself the sole judge of whether that conflict was properly resolved. It was inappropriate for him to be judge and jury in his own case. As the commissioner commented, it can never be acceptable to submit misleading documents to those charged with overseeing public finances. As this case shows, the right hon. Member's desire for secrecy led him to act in a way that was not compatible with the standards expected of an MP. Whatever the motive, I do not think that is acceptable.

Now I will address the concerns of those who think that we have been too lenient. Since the Committee reported, my hon. Friend the Member for Dunfermline and West Fife (Thomas Docherty) has asked the police to investigate. There is a protocol between the police, the commissioner and the Committee providing for liaison between the commissioner and the police, if either of them has concerns. The police will not comment on individual investigations, and the commissioner is also understandably reluctant to comment on such matters, even to the Committee. However, the fact that the commissioner has reported to us suggests the Member's behaviour is unlikely to have been criminal.

I have already explained why we felt this case was more serious than others, but there were mitigating factors. As we stated in the report:

> "Not only has Mr Laws already resigned from the Cabinet, his behaviour since May 2010 has been exemplary. He quickly referred himself to the Commissioner, has already repaid allowances from July 2006 in full, and has cooperated fully with the Commissioner's investigation. This behaviour has influenced our recommendation."

Jim Dowd (Lewisham West and Penge) (Lab): The Committee said that the right hon. Member's behaviour had been exemplary since the matter became public knowledge, and the commissioner himself, in paragraph 324 of his report, stated that it was to his

> "considerable and personal credit that, when his living arrangements came to public attention"

he referred himself. Did the Committee calculate what he might have done had it not come to public attention?

Mr Barron: No, it did not.

The repayment was one of the mitigating circumstances. The voluntary payments went further than the circumstances at the time required. The outstanding amount related to rent that might or might not have

[Mr Barron]

been over-claimed and not to expenses claims that were wholly wrongly based, as in other cases that sadly have come before the House. As in other cases where Members have over-claimed, we have clawed back the overpayment. Given the uncertainty over what a true comparator should be, we calculated the maximum overpayment, and it was only because it was within the amount that had been paid back, over and above housing claims, that we made no further recommendation.

It has been suggested that recommending that the suspension should begin after the recess is part of a plot to reduce the right hon. Member's fine. It was not put in, as one of the Sunday papers suggested, by political partisans on the Committee. The Committee considered carefully and decided that a suspension of seven days was appropriate. It would have been arbitrary and unfair to have extended the suspension simply because a recess fell during the period. In 2007, the Committee recommended that George Galloway's suspension should start after the summer recess for precisely the same reasons. In that case, he got himself named in the House and suspended in the last week of sitting, so he lost his salary for the entire summer recess plus the 18 days that the Committee recommended. In this case, we felt that it would have been wrong to have started the suspension today—if that is what the House agrees—because we knew that we are entering a short recess. It would have been unfair and resulted in a longer suspension than the one recommended in our report. If the motion is agreed to, approximately £1,500 of salary will be withheld as a result of the right hon. Member's suspension. I recommend the report to the House.

5.5 pm

Jim Dowd (Lewisham West and Penge) (Lab): I will not detain the House too long. I realise that we have immensely important business to discuss later, and we should get on to it as soon as possible. However, this matter is not unimportant. Judging from the number of Members seeking to take part in the debate on the report, I fear that it would otherwise have slipped quietly into parliamentary history. We have realised over the past few years just how tainted this House's reputation has become vis-à-vis not just the conduct of some Members, but how the way in which we deal with them is perceived.

I do not want to go into extreme detail about what the right hon. Member for Yeovil (Mr Laws) has done—or not. The commissioner has conducted a characteristically scrupulous and systematic investigation of the events, and the Committee and all its members have followed in the same vein. I will not seek to divide the House on the recommendation, which I am sure will be agreed. However, I fear that the way in which the case has been dealt with and the conclusion that the Committee has presented create the danger of emphasising the idea that, superficially at least, there is one rule for some Members of this House and other rules for others. Some are taken before the courts—and, indeed, imprisoned—for their conduct; some get barely a slap across the wrist; and others escape scot-free.

I accept that the speculation around this case is nothing to do with the right hon. Gentleman personally, but so much of the comment outside this place—I accept, too, that neither this House nor any Member is responsible for such comment—is about how much time he should serve not before he is brought before the courts or sent to prison, but before he is brought back into the Cabinet. That changes the aspect and the proportion of this case entirely. The report makes it plain that there has been a systematic, calculated and flagrant pattern of behaviour by the right hon. Gentleman, which, describe it as we might—deceit, deception, fraud—amounts to dishonesty. If this House is to rebuild its reputation we need not only procedures that are, to quote an oft-repeated phrase in the report, "above reproach", but systems that are seen to treat each and every Member of this House in the same fashion. I do not think that we have that at the moment—I do not criticise the report; I am sure that we will pass it and move on—but it is for the authorities and the Committees in this House to ensure that one simple procedure applies to everybody.

As the Chair of the Committee, my right hon. Friend the Member for Rother Valley (Mr Barron), has said, this matter is now under investigation by the police because somebody has referred it. *[Interruption.]* I am told that he did not say that, in which case, we need to refer it. However, it is equally true that in other cases, the police have not waited for a referral for matters to be investigated, but have taken it upon themselves to investigate whether there was any criminal or corrupt element in Members' behaviour. Indeed, matters that for a while fell within the purview of the commissioner were passed on, because the police had commissioned investigations into whether criminality and wrongdoing had taken place. There are those who have said that Members found guilty of serious wrongdoing should resign and leave this House, triggering a by-election—so much so, indeed, that the current Deputy Prime Minister said in his first address to the Liberal party conference that he wanted to add a "Derek Conway" clause.

Mr Speaker: Order. The right hon. Gentleman, the Chair of the Standards and Privileges Committee, made a passing reference—it was not, if I remember correctly, an evaluative one—to the police. Of course the hon. Gentleman is perfectly at liberty to make clear to the House his view about the merits or demerits of the report and its recommendations. However, I urge the House to focus on the specifics of this report alone and not to engage in what might be called a Second Reading debate about the differential treatment of particular cases, and we certainly cannot get into a general discussion about whether or when the police are involved.

Jim Dowd: I accept that, Mr Speaker, and I will abide by your ruling. I asked for your guidance before the debate, because I fear that the niceties and technicalities of parliamentary procedure might reduce common sense to zero in this case, and that the public at large will not understand the import of events.

I accept the report, but I still think that we need a procedure that is open and that has clear stages, regardless of whether the matter in question is in the hands of the House authorities, of Members' Committees or of officials, or of whether it has entered the domain of a public investigation. We have not got the balance right in the report not because of any failing by the Committee, but because our procedures are still ineffective. We have tried to overhaul the expenses system, which was the genesis of this case, but I do not believe that we have got our administrative arrangements right in this House. The Committee continues to do a good job, as does the commissioner, but we must concentrate on creating a system that not only treats everyone fairly and equally but that is seen to do so.

5.11 pm

Clive Efford (Eltham) (Lab): Like my hon. Friend the Member for Lewisham West and Penge (Jim Dowd), I have concerns about the question that the report raises of consistency in dealing with individual cases. It would be wrong if we did not raise these matters on the Floor of the House, because the concerns—certainly those of Labour Members—about how these reports are dealt with must be addressed if we are to deal with similar issues in the future. I make no criticism of the Committee, the commissioner or anyone else.

The conclusion was reached that the right hon. Member for Yeovil (Mr Laws) had behaved in an exemplary fashion since being placed under investigation, but I hope that any Member of this House would behave in that way and co-operate fully in such circumstances. Having spoken to some hon. Members who have been under investigation, I received the impression that they did exactly that.

I have one or two questions about consistency, which is all that I am bothered about. I understand that at least one case went to the Committee with the recommendation that it be referred to the Metropolitan police. What criteria were used to reach that judgment? I do not understand that, and I want to understand, because I am concerned about how these reports are written and how different Members are dealt with. What criteria does the commissioner use when he decides whether a case should go to the Metropolitan police?

Also, how many Members have claimed expenses without submitting receipts up to the £250 limit? I understand that some Members who have been investigated by the Metropolitan police and taken to court have been prosecuted for breaching that rule. How many of them, when found to be in breach of that rule by the commissioner, have been allowed to pay the money back?

Mr Kevan Jones: The report states that Mr Laws stopped claiming when the rules relating to the maximum amount changed. Did my hon. Friend find it strange that the reason he gave for not putting in receipts was to disguise this relationship with his landlord, even though the landlord's name was on the tenancy agreement?

Clive Efford: I hear what my hon. Friend is saying, but if he will forgive me, I do not want to get drawn into the detail of the case against the right hon. Member for Yeovil. The concerns that the report has raised for me are general ones about how we should deal with everyone who comes under investigation, because, let us face it, any of us could come under investigation if someone made a complaint against us, and we would all want to be dealt with under the same rules.

Who has been allowed to pay back money and on what criteria? On what criteria have they been referred to the Metropolitan police, and on what criteria have they been dealt with by the Committee and had a penalty imposed on them, as recommended to us today? Does the fact that Members offer to pay the money back make a difference? This report refers to the fact that the right hon. Member for Yeovil paid money back, which seems to have been taken in his favour. Have other Members made such offers and, if so, has that affected how they have been dealt with?

I have read the report, and I have highlighted several passages that appear to be inconsistent. I find it difficult to understand, for example, how someone can be a lodger in a house to which they have contributed £100,000 for its purchase and can then state to the Committee that they have no financial interest in that house and that the financial interests of the landlord and the lodger are completely separate. I find that sort of thing very confusing and very inconsistent, and I want to know what criteria are being applied to MPs when these matters come before the commissioner and the Committee. There are serious inconsistencies in what is happening here, and I believe that they are worthy of further investigation.

Question put and agreed to.

Middle East, North Africa, Afghanistan and Pakistan

5.16 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr William Hague): I beg to move,

That this House has considered the matter of the Middle East, North Africa, Afghanistan and Pakistan.

Our security and prosperity in Britain are indivisible from those of other countries. We cannot seal ourselves off from dangers in other countries or prosper fully alone, and it is against our values—as, indeed, it is against our interests—to stand by while conflict and instability develop. That has been shown to be true time and again in the regions that we are debating today.

Britain could not turn a blind eye when Colonel Gaddafi turned his forces against innocent civilians in Libya, shelling crowds of peaceful protesters and even hospitals crammed with victims, and launching a ferocious campaign of arbitrary detentions, torture and summary executions. This is a country on Europe's southern edge, and a regime that threatened to "exterminate like rats" the people who had risen against it. The Arab League clearly called for help and intervention, which is one of the reasons why we have taken a strong lead in calling for, securing and implementing UN Security Council resolutions 1970 and 1973. Other reasons include the effect on Libya's neighbours and the consequences for migration, terrorism and our own national interest if a pariah state had emerged in north Africa. Our action in Libya has a compelling legal and moral basis, strong regional and international support and a clear objective, and it continues to make progress.

Angus Robertson (Moray) (SNP): The Secretary of State is aware that a great many people view it as very important that this has been a UN-mandated mission from the start. Will he update us on developments within the United Nations to ensure the maximum protection for civilians in Libya and to bring hostilities to the earliest possible end?

Mr Hague: Yes, the hon. Gentleman is quite right. The fact that we are acting on a United Nations resolution made an enormous difference to the scale of the vote in this House in favour of the action we have taken and, of course, to the maintenance of international support. The UN Secretary-General attended the London conference that I hosted at the end of March and a meeting of the contact group. The UN continues to be represented at those contract groups. The UN special envoy, Mr al-Khatib, visited Tripoli yesterday, and we are waiting to hear what he found on that visit. The UN remains fully engaged and has offered to lead the stabilisation effort that will follow the conflict in Libya; support across the UN for the implementation of the resolutions remains very strong.

Mr John Baron (Basildon and Billericay) (Con): There is evidence that NATO's insistence that Gaddafi be removed is prolonging the civil war, and that civilian casualties are mounting as a result. Would the Foreign Secretary consider asking a third party—someone independent, such as Kofi Annan—to mediate, without preconditions, for the purpose of a desperately needed ceasefire, if this is after all an intervention based on humanitarian need?

Mr Hague: The United Nations envoy to whom I referred is such a third party, and he has just been to Tripoli. Other third parties have made efforts as well, some of them on the basis suggested by my hon. Friend. A high-level African Union delegation visited Tripoli, without the insistence that the Libyan opposition and we have on the departure of Gaddafi, but that did not lead to a successful mediation. Indeed, however one looks at it, it is impossible to see a peaceful or viable future for Libya without the departure of Gaddafi.

Caroline Lucas (Brighton, Pavilion) (Green): Does the Secretary of State agree with the comments made at the weekend by the Chief of the Defence Staff about increasing the number of targets that we can hit, with specific reference to infrastructure? What discussions has he had with NATO colleagues about the apparent change of focus to regime change rather than the protection of civilians?

Mr Hague: I do agree with the comments of the Chief of the Defence Staff, but they did not relate to regime change; they related to implementation of the UN Security Council resolutions. It will be evident to the House that over the last few weeks the regime forces have tried to adapt to what we have done to implement the resolutions. They have made themselves look like the forces of the other side, and have fought in a more asymmetric way. In such circumstances it is legitimate for NATO to increase the proportion of targets that are the command and control systems of the regime forces who are harassing and threatening the civilian population. That is what the Chief of the Defence Staff was referring to.

Several hon. Members *rose—*

Mr Hague: I will take a couple more interventions, and then make some progress.

Simon Hughes (Bermondsey and Old Southwark) (LD): The Foreign Secretary will, of course, appreciate that there is a desire for conflict resolution that will lead to a democratic opportunity for Libya. Will he accept from one who represents many people from north Africa, and many from the Arab and Muslim world, that the intervention that we made is extremely respected and appreciated by those communities here? They want us to continue to uphold the transformation in the Arab world to more democratic countries, because one of their reasons for being here is their inability to exercise their freedoms fully in the countries from which they have come.

Mr Hague: That is absolutely true. We responded to the call from the Arab League, and I discussed the situation in Cairo two weeks ago with its secretary-general, who remains supportive of what we are doing. As my right hon. Friend rightly says, that is representative of opinion not just across the region but among many people in this country.

Several hon. Members *rose—*

Mr Hague: I will take just one more intervention for the moment, but I am not leaving the subject of Libya for a while.

Mike Gapes (Ilford South) (Lab/Co-op): On previous occasions the Foreign Secretary has told us that the Attorney-General is giving advice to the Cabinet. Can he assure us that if there is an increase in the scope and range of the targets that we will hit, that advice will be made available to the House?

Mr Hague: I cannot give an assurance that we will provide a running commentary on legal advice, but I can give the assurance that the Attorney-General is always included in such discussions. He is always included in the decisions about targeting, and indeed in our general discussions about policies. The National Security Council on Libya met earlier today to discuss the increased tempo of the military campaign, and the Attorney-General took part in that discussion. Retaining what we have had from the beginning—a clear legal authority to do what we are doing—is very important. However, although the Government can give it consideration, I cannot undertake to give a running commentary on legal advice.

Several hon. Members *rose—*

Mr Hague: I will take one more intervention, from the Chairman of the Foreign Affairs Committee, but then I must make a bit of progress, or there will be too few other speakers.

Richard Ottaway (Croydon South) (Con): The Foreign Secretary said that General Richards had been referring to the command and control structure, not the infrastructure. It seems to be agreed that command and control is an acceptable target. However, General Richards said in *The Sunday Telegraph* that he

> "wanted the rules of engagement changed so that direct attacks can be launched against the infrastructure propping up Gaddafi's regime."

That suggests that he was calling for a change of policy, and I should be grateful if the Foreign Secretary could say whether he has a legal opinion that would support that change of policy.

Mr Hague: That would, of course, have to be discussed with our colleagues, partners and other members of NATO, as all targeting is discussed in NATO. But certainly it is our opinion that it comes within the scope of United Nations Security Council resolution 1973 that if particular items of infrastructure are particularly supporting the military effort and the regime's effort to make war against civilians, those would also be legitimate targets.

The Gaddafi regime is now isolated and on the defensive. It has lost control of large swathes of Libya already. The regime's military capability has been significantly degraded and £12 billion of its assets have been frozen in this country alone. NATO has conducted more than 6,600 sorties and more than 2,600 strike sorties since 31 March, destroying ammunition stores, armoured and other vehicles and surface-to-air missile launchers, while at sea 20 ships are now patrolling the central Mediterranean under NATO command to enforce the arms embargo.

Scores of senior figures have abandoned their positions in the regime, including Ministers, generals, ambassadors, bankers and senior officials. Many of these defectors are actively supporting the opposition national transitional council. We welcome the announcement today by the prosecutor of the International Criminal Court that he has requested judges to issue arrest warrants for Colonel Gaddafi and two other members of the regime wanted for the deliberate killing of unarmed civilians. This should leave the regime in no doubt that crimes will not go unpunished and that the reach of international justice will be long.

Mr Denis MacShane (Rotherham) (Lab): May I say that in recent weeks the Foreign Secretary has conducted his part of the campaign with exemplary skill and force? As the International Criminal Court seeks the arraignment of Colonel Gaddafi for all the things he has done, what difference is there between those and the terrible cruelty, killings and torture by President Bashar al-Assad in Syria? Does the Foreign Secretary agree with the Minister for the Armed Forces, who said in Defence questions an hour ago that he believed that Syria's President should also be put before the International Criminal Court?

Mr Hague: I thank the right hon. Gentleman for, unusually, paying me a compliment. There are important differences, of course, in the level of international support and concern about Syria. I spoke a moment ago about the importance of our legal and international authority. So far, the Arab League position on Libya has been different from its position on Syria. Our ability to pass a resolution at the United Nations Security Council is very different on Syria from what it is on Libya, so if we believe that it is important to operate with legal and international authority, we must recognise that we are in a different situation in respect of Syria than we are in respect of Libya. I will return to Syria in the course of my remarks.

Mr Edward Leigh (Gainsborough) (Con): Is my right hon. Friend aware that many of us are worried about what the Chief of the Defence Staff said at the weekend, because he seemed to be implying that in order to resolve a stalemate that we ourselves have created, we should constantly widen the envelope of what we attack? We want a firm assurance that we will attack only military targets that directly target civilians, and that our mission is humanitarian and designed to achieve a ceasefire and peace.

Mr Hague: My hon. Friend can certainly be assured that we will stay within the scope of the UN resolution, with legal advice, but he must bear it in mind that as the situation changes, what is targeted and the methods necessary to achieve our objectives will sometimes have to change. It would not be effective to say that we are only ever going to target the same things. Many different parts of the apparatus of the regime in Libya that are engaged in prosecuting a war against its own civilians have not actually been targeted yet.

Dr Julian Lewis (New Forest East) (Con): Will my right hon. Friend reassure us that there will be no change in the mission—no mission creep? A no-fly zone can be successful in preventing civilians from being

[Dr Julian Lewis]

massacred—that is why I voted for it—but what would the Government do if it became clear that the air raids have succeeded in preventing that and that Gaddafi is desisting from threatening to massacre whole swathes of his own people, but that he is staying in place? Would we then call off the campaign because the threat of massacre had been reduced to the point that it did not need to concern us any more, or would we say, "As long as Gaddafi is in place, the campaign goes on"? That is where we might find ourselves in legal difficulties?

Mr Hague: Of course it is open to Colonel Gaddafi to comply with resolution 1973, to end violence against civilians and to have a genuine ceasefire. President Obama and my right hon. Friend the Prime Minister made it clear at the beginning what he would need to do in order to do that; he would need to disengage from battles in places such as Misrata, to cease using his forces against civilians who try to protest in Tripoli, and so on. So it is open to him to do this. It would certainly not bring to an end the enforcement of a no-fly zone, the arms embargo and so many parts of the UN resolution, but in that situation the position—the need to protect civilians from attack—would be different. However, Colonel Gaddafi does not do this, presumably because if he did he would no longer be able to maintain himself in power, as he relies entirely on force to keep himself in power. That is why the question of his being there and remaining in power is, in practical terms, intimately bound up with resolving the conflict.

Jeremy Corbyn (Islington North) (Lab): Any innocent person listening to the Foreign Secretary's speech would assume that the whole policy that has been conducted by NATO, with the support of the UK, is one of regime change, and that they are just hiding under this fig leaf of its not being regime change. When does this become regime change in fact? Would he do the same in Bahrain, Syria or any other country? Clearly, that is the direction of travel at the moment.

Mr Hague: Those countries are all in different situations. I wish to discuss those different countries later, but Libya's is the one case where we are dealing with a clear call from the Arab League and a United Nations Security Council resolution, and that makes it very different from all the other situations that we are dealing with. The hon. Gentleman should support the fact that Britain is acting on that basis, with that international authority. The purposes of our military action are exactly as set out in the resolution but, for the reasons that I have just been explaining, it is hard to see us achieving those objectives, or any peaceful solution being arrived at among the people of Libya, while Colonel Gaddafi remains in power. We have to recognise that, and it is why most of the world, including people across north Africa and in the Arab world, want him to go.

This House and our country should be confident that time is not on the side of Gaddafi; it is on our side, provided that we continue to intensify the diplomatic, economic and military pressure on his regime. The tempo of military operations, which some of my hon. Friends have been asking about, has increased significantly in recent weeks, and we are now targeting not just deployed military assets, but the fixed military command and control facilities which the regime uses to threaten the civilian population. That action is within the constraints of the Security Council resolutions, and we are increasing the regime's diplomatic and economic isolation at the same time.

At the contact group meeting in Rome on 5 May, which I attended, all members agreed to reject diplomatic emissaries from Tripoli unless the regime shows serious willingness to implement a real ceasefire. We also agreed to explore action to prevent the regime from exporting crude oil and importing refined products for non-humanitarian use, and to clamp down on states and entities supplying arms and mercenaries to the regime. We are also working with our partners to stop satellite or state support for the broadcasting of Libyan state television, and the whole House will welcome the Arab League's decision yesterday to request a ban on Libyan state-owned TV from broadcasting on the Arabsat satellites. We also welcome the mediation role of the UN special envoy, as I have said.

In parallel with that pressure, we are increasing our support for the Libyan national transitional council, which we regard at this moment as the legitimate representative of the people of Libya. In Rome, the contact group agreed terms of reference for a temporary financial mechanism that will aid the provision of basic services in eastern Libya, as well as efforts to stabilise its economy. The first meeting of the steering board for the mechanism is due to take place today in Doha, and up to $180 million has already been pledged by the Gulf states.

The British Government were also one of the first to provide humanitarian support to Libya, including medical supplies for 30,000 people and basic necessities for more than 100,000. My right hon. Friend the Secretary of State for International Development will want to expand on this subject when he winds up the debate.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): On the subject of the national transitional council, on a recent visit to the US the Select Committee on Defence was told at a high level that we do not know who the rebels are. Is the Secretary of State confident that it is appropriate to give them official recognition when we do not really know the details of where they are coming from?

Mr Hague: We have not given them official recognition; we recognise states, not Governments. We recognise the state of Libya. We say for now—at this moment—that they are the legitimate representatives, as Gaddafi has lost legitimacy, and we have invited them to open an office but not an embassy here in London. We know a lot about who they are—after all, we have met a lot them. I have met their principal leaders and we have a diplomatic mission in Benghazi that is working with them daily. They have published their vision of a democratic Libya and, as I shall explain, have gone on to set out their own transition plan for Libya, which tells us quite a lot about what they intend.

The hon. Lady brings me naturally to what I was going to say next. Last Thursday, during a visit to London by its chairman Abdul-Jalil, the Prime Minister invited the council to open a mission in London. That will enable closer consultation. We welcome the road map for a democratic transition published by the council.

It pledges the establishment of an interim Government after the departure of Gaddafi and a ceasefire—an interim Government including council figures as well as technocratic figures from the regime—the convening of a national congress with balanced representation from across the country, the drafting of a new constitution and internationally supervised parliamentary and presidential elections within six months. Those are laudable objectives that show the right way forward, as proposed by the national council.

The Prime Minister also announced new support for the protection of Libyan civilians, including communications equipment, bullet proof vests and uniforms for the civilian police authorities of the NTC as well as support to improve the public broadcasting capacity. That assistance is designed to help ensure that the NTC administers territory under its control to international standards. In the coming weeks we will also increase our diplomatic presence in Benghazi. We have appointed a permanent special representative to the national transitional council based there, and we are sending development specialists who will form the core of an international team to advise the council on longer-term planning.

Mr Bob Ainsworth (Coventry North East) (Lab): Is the Foreign Secretary not glossing over the significance of what the Chief of the Defence Staff said? I think that the Chief of Defence Staff is worried about stalemate. We are doing enough to keep the operation going but not enough to finish it off, and we are turning our backs on the opportunities for negotiation, to the extent that they exist, yet we are not going far enough to finish this. He is worried about war and misery without end as well as ongoing cost and stretch. He is saying something different from the Government, is he not?

Mr Hague: No. I have called at successive meetings of the contact group and in this House for a steady intensification of the military, diplomatic and economic pressure on the regime. We have always been clear that it would require intensification and the Chief of the Defence Staff is certainly talking about the next stage of that intensification. That is not at variance with what the Government have said. It might contain more detail than what we have said before, but it does not vary from the approach the Government have taken. We have always been clear that such intensification is necessary to avoid a stalemate, but we need diplomatic and economic, as well as military, intensification.

We are doing all we can to implement the UN Security Council resolutions on Libya. We should be fortified by the knowledge that our action has already saved countless people from the risk of death, injury or certain repression. I hope the House will join me in paying tribute to the brave men and women of the armed forces and to British diplomats and aid workers on the ground in Libya. The contact group will meet again in Abu Dhabi in early June, a meeting that I will attend, and I will keep the House closely informed of developments. The Gaddafi regime's efforts to cling to power are in stark contrast with the largely peaceful transition that has taken place in Libya's neighbours, Egypt and Tunisia. Tunisia continues to lead the way in the transition to Arab democracy. Despite many complex challenges, a great deal of progress has been made since the revolution in January. A new broad-based interim Government including independent figures and opposition parties has been formed, media censorship has been removed, formerly banned parties have been legalised and an election date has been set. The challenge now is to ensure that reforms are fully implemented and that all arrangements are in place for free and fair elections. I spoke to Tunisia's Foreign Minister last week to discuss those things. Through our Arab partnership initiative, we are helping to produce the first media code of conduct for Tunisia's elections, to build domestic observation capacity for Assembly elections in July and to strengthen legislation protecting freedom of expression. Further British support for political and economic reform is being agreed and we are also working at the EU and with other international bodies to look at assistance for Tunisia as part of a broader approach to democratic reform in north Africa.

I visited Cairo at the beginning of the month. Egypt has many challenges to overcome before democratic reform is assured, including the need to stabilise the economy and create confidence for investors. I met senior members of the transitional authorities and representatives from across the spectrum of groups of Egyptian activists who participated in the revolution. Such engagement is vital if we are to understand and influence decisions by such groups in the future. In my meetings with Field Marshal Tantawi and Prime Minister Sharaf, as well as welcoming the progress that has been made so far, I raised Britain's concerns about the Egyptian authorities' current use of military courts, rather than civil legal mechanisms, and about the rise of sectarian tensions in Egypt, which is gravely concerning.

Violent clashes between Salafi Muslims and Coptic Christians left up to 15 dead and more than 250 injured in Cairo earlier this month. Peaceful demonstrations about those events were attacked by gunmen on Sunday and 78 people were injured. We condemn that violence and call on both sides to find a peaceful resolution to their differences in the spirit of the unity shown in Tahrir square. The rights of Christian minorities in Egypt and across the middle east must be protected and we welcome the fact that many in Egypt are clearly appalled by those actions. Many in the House will be deeply concerned if we begin to see in Egypt signs of the dreadful attacks against Christians or any other minorities that have taken place in Iraq and elsewhere in the region.

None of us should be under any illusion about the scale of the transition still required in Egypt. The success of the Arab spring will largely be judged on what happens in the Arab world's largest nation. The UK is offering technical assistance ahead of crucial elections in September. Last week, we hosted the Egyptian team who are responsible for the elections and gave them an overview of the electoral process in Britain. We are also discussing what assistance Britain can offer through our Arab partnership initiative to strengthen political participation and the rule of law, including anti-corruption efforts, but the international community must rapidly accelerate its assistance to Egypt.

We are arguing in the European Union, the United Nations, the G8 and international financial institutions for a transformative new relationship with the countries of the middle east and north Africa. We have put forward our proposals in Europe for a reformed

[Mr Hague]

neighbourhood policy that offers market access and trade in return for reform, leading eventually to a customs union and free trade area. We hope that the G8 summit in Deauville next week will mark the start of a new approach to the region and to co-ordinated and expanded financial assistance. Offering a new hand of friendship and a new partnership is the right response to the aspirations of the people in the region, but it is also manifestly in our own long-term interests. The response of Europe in particular must be as bold, ambitious and historic in its scale and nature as these events themselves.

Keith Vaz (Leicester East) (Lab): I hope that the situation in Yemen will also be raised during those discussions because, as the right hon. Gentleman knows, a mass demonstration is planned for tomorrow at which thousands and thousands of people will be marching on the presidential palace. Ways in which we can help are through mediation, by trying to persuade the sides to come together, and by giving the financial assistance that is absolutely vital because Yemen is facing a humanitarian problem.

Mr Hague: I shall come to Yemen in a moment, if the right hon. Gentleman will allow me to keep a semblance of order to my remarks, but he is quite right to raise that important issue.

The experiences of Egypt and Tunisia reveal an important lesson from the Arab spring—that an immense economic challenge goes hand in hand with the political opening up of those societies. Two other lessons should act as a warning in the region to those who might be tempted to think that legitimate aspirations can be ignored.

The first is that demands for political and economic freedom will spread more widely and by themselves, not because western nations advocate these things, but because they are the natural aspirations of all people everywhere. The second is that Governments who set their face against reform altogether are doomed to failure. Simply refusing to address legitimate grievances or attempting to stamp them out will fail. Reform is not a threat to stability; it is the guarantor of it over the long term. It is not credible or acceptable for any country in the region to repress now and suggest that reform will only follow later, nor is it sustainable to promise economic reform without steady political development.

This is our message to Syria, alongside our utter condemnation of the violence. Only meaningful reform that meets the aspirations of the Syrian people can provide peace and stability for Syria in the long term. The alternative—ever more violent repression—simply stokes up anger and frustration that will spill over in the future. On the point raised by the right hon. Member for Rotherham (Mr MacShane), the European Union has already imposed a travel ban and assets freeze on 13 individuals in the Syrian regime, and on Friday we informed the Syrian ambassador to London that if the violence does not stop immediately, the EU will take further measures, including sanctions targeted at the highest levels of the Syrian Government.

Alongside this action in the EU we are seeking a response from the UN Security Council in New York, where we are working to convince others that the Security Council must send an unequivocal message of condemnation of the situation and call for urgent political reform.

Malcolm Bruce (Gordon) (LD): The Foreign Secretary is making a perfectly correct and robust case, but does he agree that the emergence of protest right across the middle east changes the dynamics of the middle east peace process and the mood of the Palestinians, and that we need to ensure that the international community secures a response and that they do not feel that they are stuck in a time warp when things are changing all around them?

Mr Hague: My right hon. Friend is right. That is changing the dynamics and it is important for all to understand that this increases the urgency of the middle east peace process, rather than meaning that it can be put off. The remaining opportunity to breathe new life into it must now be taken. I shall say more about that in a moment.

Hywel Williams (Arfon) (PC): What steps is the Foreign Secretary taking to encourage Turkey to take a democratic lead in the region, which would also include ending the persecution of legitimately and democratically elected Kurdish politicians? That would give great succour to Kurdish people in Syria, who are the subject of murderous repression by their own Government.

Mr Hague: Turkey is taking a lead in the region, in particular in trying to persuade the Syrian authorities to go down the route of reform, rather than the route of repression. We very much welcome the highly active role—not yet a successful role, but a highly active role—played by the Turkish Government in that regard. Of course, we look to Turkey, particularly as an aspirant nation for membership of the European Union, always to set a strong example itself.

While condemning so many things that have happened in some countries, we should welcome the fact that in some other countries of the Arab world Governments are setting out plans for reform. In March, the King of Morocco announced a package of reforms, including putting the national human rights body on an independent footing and constitutional changes that will be put to a referendum. Jordan has announced committees on national dialogue and constitutional and economic reform, and we look forward to those reforms being agreed and implemented.

In Yemen, the economic, security and humanitarian situation continues to deteriorate. More protesters were killed only last week by Government forces, in violence that the whole House will deplore. The United Kingdom supports the Gulf Co-operation Council's initiative to resolve the deadlock, which requires the President to step aside and a new Government to be formed who include members of the Opposition. We are in close contact with the GCC about the progress of negotiations, we have supported those negotiations, and we are in close contact with the United States and our partners in Europe about our wider approach to the country.

Instability in Yemen has serious implications for the terrorist threat from that country, and al-Qaeda in the Arabian Peninsula has demonstrated the intent and capability to attack western targets inside and outside

Yemen. Britain and our allies are working around the clock to counter this threat and we will continue to do so. The arguments about the need for reform and dialogue apply to all countries in the region. Although each country is different, we will make the case to all that steps to reverse freedoms and curtail human rights are wrong and counter-productive.

We welcome the announcement in Bahrain that the state of national emergency will be lifted on 1 June and look forward to this commitment being met. We remain very concerned by the restrictions on freedom of speech and the reports of human rights abuses, including the widespread arrest of political activists and the severe charges brought against a number of doctors and nurses by a Bahraini tribunal. The Government of Bahrain must meet their human rights obligations and uphold political freedom, dialogue, equal access to justice and the rule of law. We also call on opposition groups in Bahrain to be prepared to enter into genuine dialogue.

Caroline Lucas: Will the Foreign Secretary give way?

Mr Hague: I have given way to the hon. Lady once already, but as she is the only representative of her party, I will give her a second go.

Caroline Lucas: That is very kind; I look forward to making many more interventions on that basis. Does the Secretary of State share the concern that Bahraini opposition activists will not receive fair trials and, if he does, does he think there is a role for the UK mission to send observers to witness those trials?

Mr Hague: We certainly expect and will demand fair trials, and I have discussed that situation with Bahrain's Foreign Minister in recent weeks, so it is very clear where the UK stands. We will send observers as necessary. Our embassy in Bahrain has been highly active for years in raising human rights concerns there, before the recent trouble, and in maintaining contact with opposition groups and good relations with the Government. We will keep that going.

Serious challenges also remain in Iraq. The formation of a national unity Government between Iraq's major political blocs remains incomplete, the security situation is fragile and political tensions have risen. In recent months there have been a number of high-profile attacks and targeted assassinations by al-Qaeda and insurgent groups, but we judge the Iraqi security forces to have the necessary capabilities to prevent a wholesale return to violence. With its young democracy, oil reserves and economic potential, Iraq can become an important stabilising influence in the region and a key contributor to global energy security. Compromises must be made to end the stalemate and tackle the many grave problems the country faces.

The Arab spring remains in its early stages, in my view, and has caused uncertainty as well as optimism, but the middle east peace process must not be allowed to become a victim of that uncertainty. Delay leaves a vacuum of leadership which can be exploited by extremists or lead to increased violence. We are deeply concerned by emerging reports that up to 17 people were killed and many more injured over the weekend in violence in Israel and the occupied territories. We call on all parties to exercise restraint and protect civilian life.

The House will join me in paying tribute to the efforts of the UN special envoy, Senator Mitchell, who will step down from that position this week after two years of tireless efforts to restart talks. We believe that the parties must return to direct negotiations as soon as possible, on the basis of clear parameters for a two-state solution. We hope that the announcement of reconciliation between Fatah and Hamas will lead to a Government who reject violence and pursue a negotiated peace. President Abbas has reaffirmed his commitment to a negotiated two-state solution based on 1967 borders. A new Government have yet to be formed, but when that happens we will judge them by their actions and their readiness to work for peace.

Mr David Burrowes (Enfield, Southgate) (Con): Today, when hon. Members from both sides of the House have joined in celebrating the 63rd anniversary of the independence of Israel, will the Foreign Secretary offer an assurance that the Government will not provide any support for organisations such as Hamas, which threatens not only Israel's independence, but its very existence?

Mr Hague: We have not changed in any way our policy on Hamas. That is why I am making this statement about judging a future Palestinian Administration by their actions and readiness to act for peace.

John Woodcock (Barrow and Furness) (Lab/Co-op): Further to that point, will the Foreign Secretary make clear the central importance that the Government place on the Quartet principles and state that no organisation, particularly Hamas in this instance, may genuinely be part of the peace process while it remains committed to Israel's destruction?

Mr Hague: Securing peace in the middle east must of course be done on the basis of the Quartet principles, which is why we will judge any Palestinian Administration by the conditions I have set out. As I have often said, we look to Hamas to make concrete movement towards the Quartet principles, which remain of central importance.

Mr David Winnick (Walsall North) (Lab): I have lost count of the number of Foreign Secretaries who have told us that every effort would be made to bring about a solution to the Palestinian-Israeli conflict. Time and again that promise has been made, and I am sure with every genuine wish that it should be brought about, but it has not been. The situation of the Palestinians remains precisely what it has been since the occupied territories were taken in 1967. Is there any possibility that the United States—to a large extent it is the United States alone that will decide this—will move more than it has done so far, which in fact has not been much?

Mr Hague: It is no discredit to my predecessors that they have worked hard on this, and it would be wrong to desist from doing so just because we have not been successful so far. I believe that President Obama will make a major speech this week on these matters, including the middle east peace process. The United States of course plays a central role in pushing this forward.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): Could the Foreign Secretary explain how negotiations can take place and be successful in the new situation of

[Sir Gerald Kaufman]

a reconciliation between Fatah and Hamas, which is exceptionally important, if Hamas is to be excluded in some way from peace making? Does he not remember Abba Eban, the former Israeli Foreign Minister, saying that one makes peace by talking to one's enemies?

Mr Hague: In this situation the interlocutor for Israel remains President Abbas. He insists, I understand, that he is available to negotiate with Israel on the same basis as before, that the Government he has formed will be ready to do that and that Hamas will not have changed the Government's policy. I hope that a return to negotiations will be possible, notwithstanding all the difficulties the House can see.

Mr Stewart Jackson (Peterborough) (Con): I thank my right hon. Friend for being generous in giving way. On the point made by the hon. Member for Barrow and Furness (John Woodcock), does my right hon. Friend recognise the concern shared by many Members that until Hamas repudiates its stated position, which is that the state of Israel should not exist, it cannot come to the table? Furthermore, does he agree that unilateral declarations of statehood, rather than round-table discussions without conditions, are not the best way forward and that the latter are?

Mr Hague: Negotiations on statehood are certainly the best way forward, but it is when those negotiations get nowhere that discussions about unilateral recognition get going in the world. That has to be recognised by all concerned. Yes, it is of course important for any peace in the future that all concerned recognise Israel's right to exist, forswear violence and recognise previous agreements.

I am conscious that at this rate of progress mine might be the only speech in this debate and that I am yet to touch on Pakistan and Afghanistan, so I am going to be a little less generous in giving way and I will shorten what I was going to say about Iran.

The same urgency must apply to our efforts to address Iran's nuclear programme, which remains a vital international issue. Tackling Iranian nuclear proliferation will remain at the centre of our approach to the region. We are seeking to intensify, including through the EU, the impact of existing sanctions in order to slow down Iran's acquisition of material and finance for its nuclear programme and press the Iranian Government to reconsider their position. The people of the middle east aspire to a better future. Iran's nuclear ambitions are a threat to that future, as are the continued efforts of terrorist groups operating in Afghanistan and Pakistan.

No country has suffered more from the scourge of terrorism than Pakistan. In the 10 years since 9/11, more than 30,000 of its civilians have been killed and many more maimed or injured, including the 80 people killed in a suicide attack last week. Osama bin Laden's death is therefore a blow against the forces undermining the Pakistani state and an opportunity for Pakistan, working with Britain and its allies, to redouble the fight against violent extremism. Pakistan should certainly address the many serious questions surrounding bin Laden's likely support network in Pakistan. We welcome Prime Minister Gilani's announcement of an investigation, which must be credible and thorough, but it is right that we support the Government of Pakistan in their efforts to defeat terrorism. More than 1 million people of Pakistani origin live in the UK and what happens in Pakistan directly affects us. As we help Pakistan today, we are also investing in our future security. The enhanced strategic dialogue that our Prime Minister launched with Pakistan last month strengthens our co-operation on many shared interests and supports that long-term goal.

We want the people of Pakistan to know that the UK seeks a long-term partnership with Pakistan for generations ahead. British development support is helping to tackle inequalities in Pakistani society, to get more children into school and to build communities that are more resistant to radicalisation. Whatever its concerns about sovereignty, Pakistan should use the opportunity of bin Laden's death to side unconditionally with all those aiming to defeat al-Qaeda, including Muslim countries. We hope that Pakistan will decide not to turn its back in any way on the west, but to take up the offer of partnership from us and the Americans and to use this moment in order to build long-term strategic partnerships.

Neighbouring Afghanistan remains at the top of the Government's priorities in foreign affairs.

Paul Flynn (Newport West) (Lab): Will the right hon. Gentleman confirm the very welcome report last week that the Prime Minister intends to make an announcement this month on the repatriation of 450 British troops—a report that gave great hope to the loved ones of those soldiers?

Mr Hague: I am coming on to Afghanistan, and I will talk briefly about troop levels, but I will leave any such announcement for my right hon. Friend the Prime Minister.

We have received news in the past 24 hours—the hon. Gentleman's remarks relate to this topic—of the death of a Royal Marine from 42 Commando Royal Marines, and the whole House will join me in paying tribute to that officer and in expressing our sincere condolences to his family.

Osama bin Laden's death will not mean the end of the security threat posed by the insurgency, or of the need to build up the capacity of Afghans to take charge of their own affairs. We remain committed to building a stable and secure Afghanistan that is able to prevent international terrorist groups from operating from its territory. Bin Laden's death presents a clear opportunity for the Taliban to break decisively from al-Qaeda and to participate in a peaceful political process.

I wish to spend the remaining few minutes of my speech—so that others can speak—updating the House on recent developments and on the Government's overall strategy, treating these remarks as our quarterly report to Parliament on progress in Afghanistan. At the close of this debate, the Secretary of State for International Development will inform the House of development progress.

The next four years in Afghanistan will be decisive. The Prime Minister has made it clear that by 2015 our troops will no longer have a combat role or be there in the numbers they are in now. President Karzai and the international security assistance force coalition have confirmed that, by then, Afghanistan will be in charge of its own security. That process of security transfer is already under way, and President Karzai announced in March the first group of provinces and districts where the transition will begin. Lashkar Gah district in Helmand is in that first group, confirming the progress that we have made in improving security in central Helmand. The National Security Council has approved our strategy that will support this transition over the next four years.

The momentum of the insurgency has been halted and, in many areas, reversed. Afghan and ISAF forces are now working to consolidate gains, which are not yet irreversible, and levels of violence have been relatively low in recent months, although a little higher than in the same period last year. In April there were a number of insurgent attacks, including the barbaric assault on a UN compound in Mazar-e-Sharif and an attack on the Defence Ministry in Kabul, and there was the escape of a large number of insurgent detainees from prison in Kandahar. Those incidents underline the need to continue pursuing our counter-insurgency strategy and our efforts to build Afghan security capacity, but they should also be seen as of limited wider impact when placed in the context of the campaign. In early May, Taliban leaders announced the start of their spring offensive, and we must therefore be prepared for such attacks to continue.

The UK's overall military contribution is well over 10,000 troops. In task force Helmand's area of operation, our focus is on maintaining momentum and retaining the tactical initiative in preparation for the end of the poppy harvest, when Helmand's fighting-age males, many of whom have in previous years turned to the insurgency for employment, must be encouraged not to do so again. We keep our force levels under constant review, and some reductions this year may be possible, to answer the question from the hon. Member for Newport West (Paul Flynn), dependent upon conditions on the ground and the implementation of the security transition.

If the transition of security responsibilities to the Afghans is to succeed and endure, we have to build up Afghan capacity, and we are making progress on that. Afghan security forces responded capably to the Taliban's co-ordinated assault on Kandahar city on 7 May. The numbers in the Afghan security forces continue to grow ahead of schedule, but just as important are the improvements being made in their capability and professionalism.

Some 95% of ISAF operations are conducted side by side with Afghan forces, and about 74% of Afghan national army kandaks and 75% of Afghan national police are now rated as effective with advisers or effective with assistance. Eleven out of 12 planned ANA branch schools are now open, teaching the soldiers the skills they will need to move from an infantry-centric force to a more self-supporting organisation.

Literacy rates in the army continue to improve, with 80,000 members of the security forces having now completed a period of literacy training and a further 60,000 in training at any one time. The NATO training mission estimates that in nine months more than half the Afghan security force will have completed basic literacy training, compared with just 15% today.

We continue to work with the Afghan Government and our international partners to support reconciliation in Afghanistan and to make progress towards a political settlement. We want a durable and inclusive settlement that respects the interests and rights of all Afghans. I agree with Secretary Clinton, who said on 18 February that we must intensify our efforts on a political process. We need to take advantage of military and civilian gains to make 2011 a year of reconciliation and transformation in Afghanistan. We will work with anyone who genuinely shares the goal of a secure, stable and prosperous Afghanistan that is not threatening to its neighbours and who are not threatened by it, and we look to the Bonn conference later this year as an important opportunity for progress.

In all the countries and regions that I have discussed today, we have a strong national interest in both democracy and stability, and our country is playing a major role bilaterally through the European Union, the United Nations and NATO, including in Afghanistan, where we are the second largest contributor of international forces.

This year already stands out as a momentous year in foreign affairs—one that not only gives rise to great optimism about the potential for greater economic and political freedom in a part of the world that has known little of either, but that generates risks to the United Kingdom which we will work to anticipate and address, working with our allies to protect our nation's interests while standing up for the highest values of our society.

6.7 pm

Mr John Spellar (Warley) (Lab): This debate certainly covers a vast number of countries of interest, but it does not include China, which my right hon. Friend the Member for Paisley and Renfrewshire South (Mr Alexander), the shadow Foreign Secretary, is visiting today, as he mentioned in last week's exchanges. It is also unfortunate that so much other business has been put on today's agenda, given what is clearly a timely, popular and well-supported debate.

I accept that we are in somewhat uncharted territory, and we recognise the difficulty for the Government of making decisions in response to rapidly changing circumstances, but it is nevertheless necessary that those decisions are taken speedily and coherently and that they are implemented effectively. For Parliament to scrutinise the Government's performance properly, it is important that the Government share their thinking and the evolution of their doctrine in assessing options and that they ensure a firm grip on delivery.

I know that a considerable number of Members wish to speak, that they have an interest and considerable expertise in the subjects covered by the debate and that there is a time limit, so without more ado I will cover some, although not all, of the countries involved. Inevitably, given the dramatic death of Osama bin Laden, we must start with Afghanistan.

At the outset, let me make it clear that we believe that the allied forces were right to go into Afghanistan in response to 9/11, and that the UN was right to set up ISAF with the following mandate, which we should remind ourselves of today:

> "*Stressing* that all Afghan forces must adhere strictly to their obligations under human rights law, including respect for the rights of women, and under international humanitarian law,
>
> *Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

[Mr John Spellar]

> *Determining* that the situation in Afghanistan still constitutes a threat to international peace and security,
>
> *Determined* to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Interim Authority established by the Bonn Agreement".

That mandate, in its essence, remains relevant today.

The UK took the lead in the initial phase of ISAF, and our forces have played a prominent and—I am sure that hon. Members in all parts of the House recognise this—distinguished role since then. They show great skill, courage and determination in their operations, and some have made the ultimate sacrifice, including the Royal Marines sergeant mentioned by the Foreign Secretary. Others have suffered serious injuries that will affect their whole lives, as was highlighted in the statement made earlier. Because my constituency is very close to Birmingham, I recently talked to a nurse there who works at Queen Elizabeth hospital in Birmingham, who described how heartbreaking it is to see these once-fit young men who have desperate injuries but who remain enormously positive and resolute. We owe them a huge debt. The nation must honour the military covenant, and today's statement is an important step in that process. I also join the Foreign Secretary in his tribute to aid workers in Afghanistan, a number of whom have died in trying to bring help to the people of Afghanistan. They have shown enormous dedication and courage.

We must look to the manner and timing of the handover of the governance of Afghanistan to the Afghan authorities, army and police. One of our key objectives was to prevent al-Qaeda from using Taliban-run Afghanistan as a base from which to launch terrorist attacks around the world. While Osama bin Laden's death has not finished al-Qaeda, it has certainly dealt it a serious blow. It also confirms previous intelligence suggesting that nearly all of al-Qaeda has left Afghanistan. That probably means that Washington will start phased troop withdrawals in the next couple of months. We must be clear that the process is determined by the situation on the ground, not by the calendar, but also that it will start to happen shortly.

It is clear that intense internal discussions are going on in Washington, and some elements of those discussions are starting to emerge. Senator John Kerry, the chairman of the Senate foreign relations committee, last week described as "fundamentally unsustainable" the US's current expenditure of $10 billion a month on what he called a massive military operation with no end in sight. He made it clear that he was not advocating a "unilateral precipitous withdrawal", but that the US ought to be working towards achieving what he described as the "smallest footprint possible". The ranking Republican Senator, Richard Lugar, who also has huge experience on that committee, reinforced the message, saying:

> "The question before us is whether Afghanistan is important enough to justify the lives and massive resources that are being spent there, especially given our nation's debt crisis."

The atmosphere in Washington shows that people feel that the death of bin Laden will have a significant effect on the setting of milestones and the pace and slope of the US troop withdrawal.

I hope that in his reply the Secretary of State for International Development will outline, as far as is prudent and possible, our plans in this regard and the considerations that will shape the progress of the draw-down. Will he also, without being definitive, indicate the intended completion date, although we recognise that that will, of its essence, be tentative and might be varied in either direction? We all know that the British public are realistic and resolute, but it is also clear that they now want to see our boys, and increasingly our girls, starting to come home.

Will the Minister indicate what role he sees for the neighbouring powers—obviously Pakistan, but also Iran, Russia, China, India and possibly Turkey, as well as the various "stans"—in this process of a resolution for Afghanistan? They all have significant interests, which are not entirely geopolitical, and many also have kinship with ethnic groups within Afghanistan. However, their interests are not necessarily coincidental and will have to be carefully handled. It is in no one's interests, neither in the wider world nor in the neighbouring powers, for Afghanistan once again to be a centre of instability and a haven for international terrorism. We need to decide what outcome is desirable and practicable and, together with the United States and the international community, move resolutely towards it.

In that context, what should be the basis of a settlement? First, there should be a new and more inclusive internal political arrangement in which enough Afghan citizens have a stake and the central Government have enough power and legitimacy to protect the country from threats within and without. Secondly, on which the first depends, there should be a new external settlement that commits Afghanistan's neighbours to respecting its sovereign integrity, as outlined in the UN resolution that I have mentioned, and carries enough force and support to ensure that they abide by that commitment.

In the UN's words, the internal settlement will require

> "a process by which the ex combatants acquire civilian status and gain sustainable employment and income".

It will then require reconciliation, including ensuring that tribal, ethnic and other groups are represented and recognised. Parliament and parliamentarians should also be recognised and encouraged. Several Members of Parliament participated in the sessions with the group of Afghan parliamentarians who were over here last month and who are developing a vibrant approach to their democracy. That event was extremely welcome, and we congratulate the organisers, but a lot more needs to be done by us and by the international community to sustain the process. As has been self-evident in many exchanges about this in the Chamber, there must also be a sustained drive to cut corruption.

In many ways, we have been looking from the wrong end of the telescope at events in what I will describe, in historical terms, as the north-west frontier region. We are considering events in Pakistan in the light of their impact on Afghanistan, whereas the crucial issue is how Afghanistan will affect Pakistan, which is a country of 160 million people—it is the second largest Muslim country—with a significant military, including nuclear, capability. It is also, as the Foreign Secretary has rightly acknowledged on behalf of Britain, a country that has suffered considerable losses from fundamentalist terrorism, and it continues to do so even in recent days. We need to think very seriously about Pakistan's concerns and prospects. This is not helped by some of the knee-jerk responses to the death of bin Laden that we have seen in the media, with too many people making facile assertions regarding subjects about which they do not have, and may well never have, the full picture. Idle speculation on this matter is not helpful in forming an effective, considered judgment, and it is certainly not helpful in the internal politics of the region.

I therefore welcome the fact that the United States appears determined to continue to support Pakistan rather than to repeat the mistake that it made following the end of the Soviet invasion by cutting aid substantially and drastically. I note the welcome news in today's *Financial Times* that Senator Kerry is about to visit Pakistan. However, there is also a clear obligation on Pakistan, in terms of good governance, to improve its administration, especially in relation to tax collection; to improve educational opportunities, particularly in taking education away from fundamentalist madrassahs and thereby ensuring proper education for its young people; to enable and sustain a more pluralist society; and to engage in dialogue significantly to reduce tension with India, which occupies so much attention and resources in both countries.

Malcolm Bruce: Does the right hon. Gentleman agree that commentators in the British press who attack aid support for Pakistan and Afghanistan are missing the point in that if we do not deliver education, hope and livelihoods to those countries, the chances of reducing terrorism and disintegration are lower, not higher?

Mr Spellar: I certainly do. This is an argument that needs to be had right across the world. Recently in Australia, there was a big attack on the aid programme to Indonesia—again, it is substantial—which is designed to ensure proper secular, state-run education, so that youngsters do not only get their education in fundamentalist organisations. It is enormously important that we sustain that programme for the future of that country, the largest Muslim country, as it is for the future of Pakistan, the second largest Muslim country. That is essential not only for the long-term security of the region but for international security. I was encouraged by the comments of the Foreign Secretary on that subject, and I hope that the Secretary of State for International Development will enlarge on them in his response.

Turning to the middle east and north Africa, it has been rightly said that the death of bin Laden was a serious setback for al-Qaeda, but the most telling blow has been the Arab spring, with its demands for democracy and more open societies, and certainly not for al-Qaeda's dream of a return to mediaeval brutality. We should be realistic about the various elements that are involved in that movement and the possible course of developments.

I congratulate the Foreign Secretary on his Mansion House speech. I notice that he recycled quite a bit of it in his speech this evening. That is obviously part of the Government's commitment to be greener. However, the speech bears repetition. As he rightly said:

> "Demands for open government, action against corruption and greater political participation will spread by themselves over time, not because Western nations are advocating them but because they are the natural aspirations of all people everywhere."

In that context, we should recognise that the events in the middle east and north Africa are not isolated. A tide has been sweeping around the world.

In spite of some disappointments, we should reflect on how much progress has been made around the world over the past couple of decades. Most countries in south America have emerged from military dictatorship, are overcoming their ruthless, destructive guerrilla groups and are building a better future. Interestingly, in his famous Chicago speech in 1999, Tony Blair referred to the need for

> "more effective ways of resolving crises, like that in Brazil."

Brazil is now a roaring economic power, and it has just celebrated the election of a new successive social democratic President. The countries of eastern Europe have returned to their European home, having thrown off the shackles of their corrupt, vicious, incompetent communist leaderships and the Warsaw pact. They have willingly joined NATO and the EU. Indonesia, which I mentioned in response to the right hon. Member for Gordon (Malcolm Bruce), is the world's fourth most populous state and the largest Muslim state. In 10 years, it has gone from being a military-backed dictatorship to being a vibrant democracy with a rapidly expanding economy. It is now a G20 member and an effective partner against terrorism. There has been a seismic, historic shift in the international landscape, and we should recognise and welcome that.

That is why we fully supported and support the Government's decision to join international partners to enforce United Nations resolutions 1970 and 1973 in Libya. Those who query resolution 1973 and this country's rapid decision to act must consider how we would have felt, and how the world would have reacted, if Gaddafi's tanks and death squads had poured into Benghazi over that weekend and killed people, to use his words, "like rats". In this day and age, that would all have been carried out on 24-hour TV in real time.

While giving support, it is our responsibility, as a Parliament and as an Opposition, to scrutinise carefully the Government's conduct and effectiveness in fulfilling the task. We need from the Government a clearer and better articulated strategy. Frankly, we need them to explain how their self-imposed cuts to our expeditionary capability will enable them to implement the policy. The article that the Prime Minister wrote with the French and US Presidents in April said:

> "So long as Gaddafi is in power, Nato and its coalition partners must maintain their operations so that civilians remain protected and the pressure on the regime builds".

It is incumbent on the Government to be clearer to this House and to the British people about how they propose to bring about such a resolution of this situation, especially in the light of the comments over the weekend.

It was asked earlier, but I think it needs to be asked again, what is meant by "infrastructure targets". If it means command and control posts within a military structure, I understand that. I think it is arguable—I hope that the Attorney-General would back me—that that is perfectly within the bounds of the UN resolution. If, as some commentators have suggested, it means industrial infrastructure, and particularly electricity infrastructure, we have considerable doubts. Even in Kosovo, which was a major operation, the object was to immobilise the transmission systems not to destroy them, because after military operations are over, there is a need to reconstruct the country. It is difficult to do that without adequate electricity supplies. It is therefore important that we have clarity on what is meant by infrastructure. One meaning is perfectly within the current programme, but otherwise we have considerable questions and doubts.

It has to be clear that there is continuing international and regional support for our strategy. I can see no UN mandate for ground troops to move into Libya, and I think it is fair to say that there is no chance of getting such a mandate at the Security Council and no prospect of regional support. We must recognise that there is little appetite among the British public for such a course of action, and I suspect that the situation is similar in the United States and France.

I hope that the Secretary of State for International Development will update the House on the considerable efforts of his Department, with others in the international community, to assist the 750,000 people who are estimated to have crossed from Libya into neighbouring countries, and to get supplies to people in parts of Libya that are under siege from Libyan Government forces. I do not underestimate the task, but we need to know how we are tackling it, because it is substantial and urgent.

What are our realistic options across the middle east and north Africa? Although it is true that we are one of the few countries with the strategic capability to provide meaningful intervention, we must recognise the constraints imposed by our existing commitments elsewhere, the clear problems of overstretch, and the cuts made in the strategic defence and security review, which are increasingly seen as ill advised and outdated. Whatever action we take will be in conjunction with others, and not only our key strategic ally, the United States, but increasingly the EU, or at least key European allies. It has become clear, particularly in the last week or so, that a stretched United States has self-imposed limitations. Our European deliberations will have to consider that, and our response will have to be shaped accordingly. It is true that we could take a position of splendid isolation and say that those issues are nothing to do with us, but developments would continue in north Africa and the middle east. Although we should not overestimate our ability to shape events, we should not underestimate it either.

A key area is to develop capacity for the emerging democratic forces and parties in the countries concerned. It would be tragic if the principal beneficiaries of the new democracies were the remnants of the old dictatorial parties or underground fundamentalist Islamist groups. We should draw on the experience of eastern Europe, where post-communist parties were able to exert disproportionate influence because of their well-developed corrupt networks. I am sure all parties hope that the Westminster Foundation for Democracy will play a major role in building capacity for democratic parties.

Dr Andrew Murrison (South West Wiltshire) (Con): I am listening with great interest to the right hon. Gentleman. I am slightly concerned that he may not have learned the lessons of the past, in particular with respect to Iraq, where a thoroughgoing programme of de-Ba'athification stripped out the whole of the middle class and political class, making reconstruction far more difficult than it might have been. Does he not think that we should be cautious about completely stripping out individuals who may have been associated in some small way with an unsavoury old regime?

Mr Spellar: The hon. Gentleman has misunderstood what I was saying. I fully agree that the de-Ba'athification programme and the disbanding of the Iraqi army contributed substantially to many of Iraq's problems. I am turning that point around and saying that I do not want the established networks of the old corrupt parties or the well-organised networks of the Islamist groups, in particular the Muslim Brotherhood, to have a free field.

What I am talking about is not taking such people out of the structure but ensuring that emerging democratic forces, which by definition have been underground but are not organised in a Leninist fashion, can develop the capacity to compete on an equal playing field. They will then be able to play a proper role and not be outgunned—literally, sometimes, but certainly in finance and capacity—by other parties, which would have a detrimental effect. I am talking about building alternative capacity rather than moving along the route that the hon. Gentleman describes. That is the best prospect for the future of democracy in the countries in question.

Jeremy Corbyn: Is my right hon. Friend aware that in Tunisia, there is serious concern about the resurrection of many of the security forces that existed under the Ben Ali regime, which are treating protests and demonstrations with great brutality and great force? They are breaking them up and seem to be trying to suppress the very voices of dissent that brought about the huge changes in February in the first place.

Mr Spellar: We certainly ought to be concerned about that; my hon. Friend highlights another significant concern. Because of the vast array of countries across a wide and diverse region, our debates focus on certain countries. Inevitably, today's debate will be focused primarily on Afghanistan and Libya, along with maybe one or two other countries. I am concerned that some of the countries that have been making some progress might start to slip off the radar, and it is important that we do not allow that to happen.

We must not allow our level of interest in the countries that are making progress to fall. Development there must be sustained, because there will not just be a steady path towards a democratic society. There will be pitfalls along the way. To make a comparison with eastern Europe again, the involvement of the secret police networks can be a considerable factor in the development of those countries, as I described earlier. We ought to be alert to that problem, but we should also take the positive way and build the capacity of democratic parties so that they can take the best advantage of democratic elections when they come.

I hope that Members of all parties will consider the role that the Westminster Foundation for Democracy and other such bodies can play in building capacity for democratic parties. The Foreign Secretary has announced substantial cuts in the Foreign Office programme—the sum will go down from something like £139 million to £100 million. We did not get details, but we need to know whether the cuts will have an impact on those organisations and their programmes.

In the Foreign Secretary's statement last week, he talked about increasing our presence in a number of missions across the world. Interestingly enough, only one of those, Pakistan, is in the area that we are discussing today. There was, understandably, mention of a reduction in Afghanistan and Iraq, but in none of the other countries concerned did it seem there would be an increase in our local involvement despite the considerable interest that we need to be taking in them. On the face of it, that seems a slightly strange decision, and it would be helpful to have some explanation.

We have to recognise that not all of the liberation of eastern Europe went smoothly. Ethnic tensions rose to the surface, and in one case, Czechoslovakia, were resolved by a—fortunately peaceful—division of the state. Catastrophically, however, in Yugoslavia they led to vicious civil wars, appalling violence and the necessity for NATO intervention. Some states in north Africa and the middle east are fairly homogenous, but others are riven by ethnic differences and, in some cases, considerable and long-standing ethnic feuds. The international community must use all its endeavours to ensure that the outcome of the Arab spring is more like Poland than Yugoslavia. In that context, I welcome the Foreign Secretary's comments about Tunisia and hope, as I said to my hon. Friend the Member for Islington North (Jeremy Corbyn), that we will not focus only on countries where there is conflict. We must also provide assistance to those that are making a more orderly transition.

I shall move on briefly to the middle east and the Israel-Palestine issue. I am sure that everyone in the House and internationally is frustrated by the failure to get engagement in substantive talks leading to the creation of a new Palestinian state, living peacefully side by side with Israel. We echo the Foreign Secretary's statement yesterday, which he repeated today, when he expressed Britain's concern about the violence on the border and the loss of life, and called on all parties to exercise restraint. We should be persuaders for peace, to ensure that Palestinian aspirations can be realised alongside Israel's equally legitimate desire for a peaceful existence within secure and recognised borders.

Mr Winnick: I certainly do not question Israel's right to exist—I have made my views about that clear over the years. It was brought into existence by the international community and has as much right to exist as any other state, but not in the occupied territories. How can Israel genuinely say that it wishes to bring about a two-state solution at some stage—not that it has put much emphasis on that—when so much of the occupied territories has had settlements built on it? On what site is the second state, the proposed Palestinian state, going to exist?

Mr Spellar: I say to my hon. Friend and near neighbour that in all the discussions on the middle east, and particularly on Palestine-Israel, there is a danger of what David Ervine of the Progressive Unionist party in Northern Ireland, who went from terrorist activities to a very significant role in the peace process, described as "whataboutery". I could equally respond to my hon. Friend's valid points by asking, what about this, that and the other? What about the failure to implement the Camp David accord? What about the terrorist activities?

At the end of the day, the international community and the parties concerned have to get back to the basic fundamental principle of ensuring the establishment of a two-state solution on borders agreed internationally and between the parties, with the states living together in harmony. I cannot put it better than UN Security Council resolution 1850, which said that

> "lasting peace can only be based on an enduring commitment to mutual recognition, freedom from violence, incitement, and terror, and the two-State solution".

I very much hope, as I am sure we all do, that the visit of Israeli Prime Minister Netanyahu to Washington this month will intensify that process and involve a relaunch of the peace initiative by the Obama Administration. I am sure we all look forward to the President's address on that subject.

Dr Julian Lewis: The right hon. Gentleman is speaking very sensibly on this subject. I have always supported a two-state solution. Does he agree that Israeli withdrawal from the Gaza strip, where there were many settlements, shows that if an agreement for withdrawal could be reached, settlements need not stand in the way?

Mr Spellar: Yes, and I presume that the hon. Gentleman would also have mentioned the fact that the Israeli army enforced those movements under the direction of Sharon. Pointing such things out is important, but it is equally important to get back to the fundamental need for talks and negotiation on the acceptance of a two-state solution. From many of the discussions that there have been, I do not believe that the sides are too far apart on the detail. We therefore look forward to the initiative that we hope the US Administration will take later this month, which we hope all parties will then pursue.

On Syria, we welcome the Foreign Secretary's comments about making approaches to the EU and the UN to step up pressure on the regime. At the moment, however, the regime seems well past his "fork in the road", and I hope that the message is getting through to it clearly.

I am mindful of the time, Mr Deputy Speaker, and of the numbers who wish to speak in the debate, so I wish to raise only two other issues—and to do so briefly. First, on protecting our security and national interest, and ensuring stability in the region, the Foreign Secretary will be unsurprised if I once again raise the issue of piracy off the coast of Somalia. The problem now stretches right round the gulf of Aden and out into the Indian ocean, which has a considerable effect on countries in the region. Nearly 800 seafarers are being held hostage, often in appalling conditions. Some have been brutally murdered. More than 30 ships are being held—some are used as mother ships to extend the pirates' reach far into the Indian ocean. Ransoms totalling well over $100 million were paid last year, and there are credible reports that the pirates have entered a deal with the al-Shabab organisation in Somalia, which is linked to al-Qaeda, for a percentage of the ransom.

Therefore, in effect, the shipping industry is directly funding terrorism. There has been some response, but I feel that it has been inadequate. I had a helpful response from an Under-Secretary of State for Foreign Affairs, but I was concerned when a Defence Minister told me that there had been no recent change in the rules of engagement. I recognise that there is no easy instant solution, but there is a danger that the crisis will continue to outrun and overwhelm the response. Piracy threatens not only lives but a vital world trade route. Incidentally, the unwillingness of crews and ships to go through the Suez canal and pay dues could have a damaging effect on the income of the emerging Egyptian democracy. Frankly, the Government need to get a grip on that. They must engage with other maritime nations and get commitments for sufficient ships and personnel, but there must also be a step change in the rules of engagement and operational tempo.

[Mr Spellar]

To pull those arguments together and put them in a broader context, we do not accept that if we intervene anywhere in the world, we must take action everywhere. Nor do we accept the converse—that if we cannot or will not take action in one country, we should be immobilised elsewhere. That is why the previous Labour Government, when I was a Defence Minister, intervened militarily in Sierra Leone, but were unable to take action against the brutally repressive Mugabe regime in Zimbabwe.

I also accept—the Opposition have supported the Government in this respect—that a range of factors must be taken into consideration, and that countries must be considered on a case-by-case basis. However, we would like evidence not only of more coherent planning, but of more rigorous analysis. Around the time of Kosovo both Tony Blair, in his Chicago address, and Kofi Annan, in his Ditchley lecture, extensively developed the doctrine of humanitarian intervention. They might have been controversial, but they helped to create a framework within which policy could be decided, and indeed scrutinised and criticised.

I have not detected the development of such a doctrine in the speeches of the Foreign Secretary, including his speech today. The Opposition support much in his policy, but we require the Government as a whole to get their act together on policy and to be more effective on delivery. In short, we believe that it is time for them to get a grip.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. A time limit of eight minutes will be imposed, plus two minutes for injury time. However, I caution Members to frame a six-minute speech in their heads, because that is what they are likely to be allotted by the time they are called.

6.43 pm

Sir Malcolm Rifkind (Kensington) (Con): In the short time available, I shall concentrate my comments on two matters: first, the conclusions we should draw from bin Laden's demise, and secondly, the remaining challenges faced by the international community with regard to Libya.

Bin Laden's demise was of course an historic event. We should not underestimate the significance of the US special forces operation, or of the extraordinary intelligence operation that their achievement represented. The timing of the operation is significant in that it happened right in the middle of the Arab spring. What could better demonstrate the ultimate irrelevance of what al-Qaeda has to offer? There is reason to believe—a massive amount of evidence has emerged from throughout the Arab world—that the lure and attraction of, and the significance of and interest in, al-Qaeda are beginning to wane. Al-Qaeda not only does not feature in the demands of the hundreds of thousands of people who demonstrate throughout the Arab world for reform and change, but it has been positively rejected by many as they advance claims for universal values.

However, if we begin to believe that the attraction of al-Qaeda is waning in the Arab world, I caution the House against coming to a similar conclusion with regard to Pakistan. We are in a very different time zone there when it comes to the possibilities of change. Bin Laden may have been of Saudi or Yemeni origin, but we should remember that ultimately the al-Qaeda movement originated in south Asia, not in the Arab world. We also know that that happened in the context of experiences in Pakistan and Afghanistan. It is perhaps significant and not irrelevant—I do not want to anticipate events—that the only revenge act so far in response to the assassination of bin Laden has come not from al-Qaeda or the Afghan Taliban, but from the Pakistani Taliban, who feel, and who have expressed sympathy for al-Qaeda and endorsed it.

That is significant for how we see developments in Afghanistan. There is a powerful argument for saying that if our original purpose for going into Afghanistan was the threat of al-Qaeda operating from within the country, that reason is now much less valid than it has been at any time in the past few years. However, the question of the timing and method of our withdrawal from Afghanistan must take into account not just the implications within that country, but to an even greater extent, the possible consequences for the destabilisation of Pakistan. Up to now, we have primarily worried about the consequences of al-Qaeda or the Afghan Taliban using the border as a refuge zone, but in some ways, things are now the other way around. As the right hon. Member for Warley (Mr Spellar) said, the problem in Pakistan is of far greater significance to the wider stability of the world, and it must be given priority. I hope that that is taken into account.

On Libya, I pay tribute to what has already been achieved. There is no doubt that Benghazi would have experienced an incredible massacre, and that Misrata would have been overthrown by Gaddafi, but for the efforts that have been made. However, those who have warned of the dangers of stalemate pose a real question. Without wanting to criticise the Government—I am aware of the international constraints on what they can do—there is a fundamental inconsistency in arguing that the mission is purely humanitarian at the same time as making it clear that it cannot be completed until we have, in effect, regime change.

The question, therefore, is this: how does one square that circle, and can it be squared in a way that does not breach the UN resolution? Whether we like it or not, that is the framework within which we must operate. As I see it, there are only three ways in which that stalemate can be broken over a reasonable period of time. First, implosion in Tripoli is quite possible. In the past few months, a significant number of leading Gaddafi adherents have defected. It is not impossible or inconceivable—it could happen next week or next month—that many of the senior adherents who remain, including generals and Cabinet Ministers, will simply fade away and disappear. I suspect that even Gaddafi's immediate family will eventually not wish to share his bunker. Saif al-Islam and some of his colleagues might prefer to be in the south of France rather than the quagmire that Gaddafi's regime could become.

That is one option, but we cannot count on it, and certainly not in any short time scale. The second option is a very slow process of gradual disintegration of the regime. That might be happening already because of the combined impact of economic sanctions and the fact that the oilfields are primarily in the east of the country, with very little utilisable refining capacity in the west, plus all the other forms of political, diplomatic and other pressure that is being put on the regime. However, by itself, that will not deliver the outcome that we need to bring this matter to a conclusion for many months, and possibly for several years. It is a serious option, but do we want to contemplate that the international action will take that long?

That leads me to the third option. What do we do, and what can we do within the UN resolution, to help the insurgents who are struggling for freedom and the overthrow of the Gaddafi regime? We have had a crucial watershed in the past couple of weeks in how the British and other Governments treat those insurgents. This is perhaps the first debate in which they have not been described as rebels. For many months, that was the description used not just in this country, but elsewhere, but that is no longer the case. The insurgents have been invited to open an office in London, they are being treated as serious politicians, and they are rightly considered to have greater legitimacy than the Gaddafi regime, which I welcome. However, we also know that they do not have the military capability to achieve the result that we all want.

The question is whether that can be achieved within the terms of the UN resolution. If it requires us—I do not complain about this—simply to protect civilians, what happens if there is hand-to-hand fighting in Misrata or Tripoli? It could not be stopped by air power or an international coalition; it could be stopped only by the people on the ground. Only they could protect civilians in such a situation. Therefore, I argue—and I believe that some of the legal advice agrees—that if we could be satisfied that the provision of military assistance to the insurgents would help to protect civilian lives and deal with the threat to civilians in Libya, it would be consistent with the resolution. In those circumstances, that kind of help should be considered. In reality, of course, that sort of help is already being given. The French, the Qataris and several other countries are already providing it, whether or not they acknowledge it publicly.

Were that help to be provided—I am talking about training as well as weapons—two things would happen. First, those around Gaddafi would know that the game was up, and gradually, as the insurgents became more of a disciplined, trained military force, it would become obvious—in their view, as well as in ours—that the regime was finished. Secondly, Misrata and the east of the country would gradually be united under insurgent control, and Gaddafi's remaining power would be so restricted as to be insignificant. That is the real challenge, not just for the British Government, but for the international community, and I believe that we can respond to this situation positively within the terms of the UN resolution.

6.51 pm

Ann Clwyd (Cynon Valley) (Lab): I am glad that the Foreign Secretary mentioned Iraq, because it is seldom mentioned now, and needs to be mentioned far more often. I have three recent Amnesty reports on Iraq that are well worth reading, because they point out some of the deficiencies in the Iraq that we have left behind. Tens of thousands of Iraqis, emboldened by the successful uprisings in Tunisia and Egypt, have taken to the streets since early February to protest against the chronic lack of basic services, rising prices, mass unemployment and endemic corruption, and to demand greater civil and political rights. Unfortunately, the security forces have frequently responded with excessive force, using live ammunition, sound bombs and other weapons forcibly to disperse peaceful protesters, particularly during what the Iraqis called the "day of rage" on 25 February, when demonstrations were held across Iraq. At least 20 people were killed, many of those arrested say that they were tortured or ill-treated, and journalists trying to cover the protests, as well as political activists, have been targeted for attack or threats.

I obviously have a particular interest in this subject because, for seven years, I was special envoy on human rights to Iraq for the previous two Prime Ministers. I therefore have an ongoing interest in the development of human rights there. During this "day of rage", protesters used violence, mainly by throwing stones at members of the security forces or public buildings, and on rare occasions by setting fire to public buildings, and as a result members of the security forces have also been injured. On 30 March, in a belated but welcome development, the Iraqi authorities announced that their security forces were under orders not to use firearms against demonstrators except where necessary for self-defence.

Up to now, the Iraqi authorities, in both Baghdad and Kurdistan, have sought to crack down on peaceful protesters. That obviously has to change. As Amnesty wrote:

> "They should be cracking down on the use of excessive force and torture by their own largely unaccountable security forces, not on the right of people to peacefully protest. The Iraqi authorities should be upholding the rights to freedom of expression and peaceful assembly, including the right to protest, not trying to suppress them. It is high time to do so...Torture and other ill-treatment were widespread in Iraq before the US-led invasion in 2003",

of which we were part,

> "and continued in prisons and detention facilities controlled by coalition forces and the new Iraqi governments. Since 2004, suspects held in Iraqi custody have been systematically tortured and dozens of detainees have died as a result."

In my seven years as special envoy, I continually visited prisons and detention centres and spoke on many occasions to the Iraqi human rights Minister, to whom I pay tribute, because she has a difficult job but has not had enough support.

Amnesty also wrote that

> "US forces handed over tens of thousands of prisoners to Iraqi custody between early 2009 and July 2010 without any guarantees that they will be protected."

I argued constantly in this Chamber that they should not have been handed over to the Iraqis, because they did not have the capacity to deal with the thousands of detainees they were expected to hold. Amnesty also wrote that

> "there is every likelihood that torture and ill-treatment will remain widespread. Such abuses have a devastating impact on the victims not just when they are being tortured or ill-treated, but often for years afterwards...Urgent action is needed to end the pattern of abuse and to help the victims and their families."

I received an e-mail from an American working in Iraq. His name is Tom Cruise—not the actor Tom Cruise—and he is the former senior adviser to the Iraqi Ministry of Defence directorate of human rights. He came to see me several times in the Baghdad embassy because of his great concern about an Iraqi prisoner killed while in detention. He wrote to me in February saying that he was still trying

> "to bring attention to the disturbing torture and murder of detainee Adnan in...the former Iraqi 2/3/6 brigade which was run by BG Nasser who is now the Commander of the Iraqi 2nd DIV in Mosul."

[Ann Clwyd]

He was tortured and murdered, and the person responsible was known to everybody. His name is Lieutenant Nabil Rahman Ali Mosa al-Yasseri. After eight months of intensive investigation by the FBI, he was located and arrested in al-Hillah. He was held for a mere 10 weeks, and then suddenly he departed. He was helped to escape. Tom Cruise wrote:

> "I hope this communication can serve to bring the necessary attention to resurrect this matter and initiate further judicial action so the world can see that Iraq respects human rights and it is important for all and especially for Adnan Awad Mohammed Thaib Al-Jumaila and his family."

Our embassy has raised this matter with the Iraqi President, Deputy President, Prime Minister and many others in Iraq, but with no results. Obviously, I think that the UK Government can play an important role in putting pressure on the Iraqi authorities to ensure that detainees are either released or brought promptly to trial on recognisable criminal charges, with full and fair trial rights and without recourse to the death penalty. We have invested too much—in money and blood—in the country to allow this abuse of human rights to continue in Iraq.

6.59 pm

Richard Ottaway (Croydon South) (Con): It is, as ever, a pleasure to follow the right hon. Member for Cynon Valley (Ann Clwyd), who is a Foreign Affairs Committee member.

In my judgment, we made the right decision in March to establish a no-fly zone. At the time, there were concerns about a stalemate and about setting a precedent, but we had a UN resolution and a request from the Arab League to support us and to quell our doubts. The question was whether to intervene or not to intervene, and we chose the lesser of two evils to save Benghazi. As a result, there has been no slaughter in Benghazi, and to that extent it has been a success. We do have a stalemate, however. The question now is how to break the stalemate.

The UN resolution has been widely interpreted. We had the rather unexpected remarks over the weekend of General Sir David Richards, the Chief of the Defence Staff, who has called for a change in the rules of engagement to enable NATO to attack infrastructure to oust Gaddafi. There is a clear difference in our policy between our military and our political objectives. Our military objectives are humanitarian—in that, we are backed up by a United Nations resolution—whereas our political objective, which is not backed by the UN, is to remove Gaddafi. I think that General Richards has come pretty darn close to the latter course of action, touching on the political objectives. As the right hon. Member for Warley (Mr Spellar) said, regime change was set out by Tony Blair in his Chicago speech. I do not support that speech—I do not believe in regime change, and I reject the notions that he set out—but there is a difference between wanting regime change and using military force to achieve it, and General Richards is close to that concept.

The question that I would put to my right hon. Friend the Secretary of State for International Development is whether General Richards was authorised to make that speech. Is there a legal opinion that says that targeting infrastructure is legal? Can he say what General Richards meant by infrastructure? Was he talking about refineries and power stations? If so, then in my opinion that would not be legal. Going down that road would need an amendment to Security Council resolution 1973 and, of course, a further resolution of this House, which adopted it. Such a policy would also be divisive within NATO. Furthermore, it is not in Libya's interest to wipe out its economy by attacking the refineries and power stations. When we come to help rebuild that country, we will need that infrastructure—that was one of the mistakes that we made in Iraq. We may be critical in the House of Commons about what is happening in Libya, but it is our reputation and the perception of the Arab world that counts.

So what is the exit strategy? Having achieved the military objective, how will the Government achieve their political objective? There is a big gap between the two concepts. There is nothing wrong with the no-fly zone, the economic sanctions and the hope that a lucky hit on a command and control centre will destroy Gaddafi, but we need to send clear messages to the regime around him. I invite my right hon. Friend to consider the possibility of an amnesty. Why not suggest an amnesty for those around Gaddafi who abandon him and co-operate in bringing him down? It is not beyond the realms of credibility to start talks between the regime and the rebels. We do it where the IRA is concerned and we are proposing to do it in Afghanistan, so why not in Libya?

Let me touch briefly on the Government's decision to cut the World Service and the Arabic service that it broadcasts. We need soft power to help us in this situation. Cutting the World Service at this point is a mistake.

What is happening in Syria is wholly unacceptable, but the army is solidly behind President Assad. He had a choice, between reform and oppression, and he chose repression, so why do we not have a no-fly zone there? The difference is that we have neither a request from the Arab League nor a UN resolution. I regret the Arab League's inconsistency and silence on Syria. I have no doubt that it is silent because no one wants the next domino to fall—that is the Arab League's reservation—but it is still regrettable that it remains silent.

The death of Osama bin Laden represents an opportunity in Afghanistan and Pakistan. The Foreign Affairs Committee calls for talks in Afghanistan, and I believe that there is a momentum there that can be built on. However, we have to rebuild the relationship between Pakistan and the United States. Pakistan is a key player. It is a nuclear power and will be involved in any settlement negotiations in Afghanistan. Pakistan is clearly shaken by the death of Osama bin Laden. When the Foreign Affairs Committee went there last October, I was quite shaken by the level of hostility expressed by people in the Pakistan Administration towards the United States. Patching up the relationship will not be smooth, but Britain has a unique role to play. It is the one country in the world that is trusted by both the United States and Pakistan, and it is not beyond the realms of credibility to try to broker talks. Indeed, may I venture to suggest that we could broker talks between the two here in London?

This is a busy time in foreign affairs. I conclude by paying tribute to the Foreign Office. It is having to address action on two fronts, with the usual consular challenges all around. It has a trade policy that it is desperately trying to promote, and it is also dealing with more than its fair share of natural disasters. We have the middle east situation to deal with and, of course, the latest developments in Israel and Palestine. The Foreign Office faces a challenging situation, but in all this it has the full support of the Foreign Affairs Committee. We will of course engage in constructive criticism of the Foreign Office, but we want it and Britain to succeed. As a diplomatic organisation the Foreign Office is the envy of the world. Let us try to keep it that way.

7.6 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): Three months ago it seemed that the Arab spring in north Africa and the middle east might bring democracy to widespread areas of the region. Tunisia made major changes with its jasmine revolution, and Egypt rid itself of the Mubarak regime, even though the aftermath rumbles on. Now, however, the situation seems far less promising. Syria, Bahrain and Yemen continue to suppress the movements for democracy, with continuing serious loss of life inflicted by brutal regimes.

In Libya, not only has the situation reached deadlock, but misgivings must be aroused by NATO's lack of political direction. UN Security Council resolution 1973 was right and necessary. There is no doubt that the implementation of the no-fly zone has saved very many lives. However, NATO now appears to be stuck, turning to regime-change policies, which are in no way authorised by the resolution. Loathsome though Gaddafi may be, attacks on his compound, apparently targeting him personally, are unacceptable, and it is deplorable that members of his family have been killed. There is no way in which the Security Council has authorised political assassination. It is essential that there should be a clear line of political control, linked to discernible political objectives. The resolution would otherwise never have been nodded through by Russia and China. It is a matter of concern that over the weekend General Sir David Richards tried to state political objectives that are not within his remit. Our brave armed forces are there to carry out objectives decided politically. It is not their leaders' role to make or urge political policies.

Political assassination appears to be becoming the flavour of the month. I shed no tears for Osama bin Laden, a monster who was responsible for this century's most lurid atrocity, but for Barack Obama to violate another country's sovereignty by sending in an assassination squad must arouse deep concern, especially as the White House has made so many conflicting statements that it is impossible to know what really happened in Abbottabad. Was bin Laden armed, and did he seek to resist with arms, thus provoking the Americans to kill him? Did he try to use women as human shields, or was he unarmed? Was any real attempt made to take him alive and put him on trial for his crimes? The White House's handling of the situation has turned a killing into reality TV. There is also a lethal aftermath: 80 innocent Pakistanis were killed by the Taliban at the weekend in what they say was a revenge attack, with a threat of more to come. Did the Americans think this through before they acted?

This latest episode confirms—to me, at any rate—that Obama is simply a sanctimonious version of Ronald Reagan and George W. Bush. An example is his breaking his pledge to shut down the Guantanamo Bay illegal torture camp. As Zbigniew Brzezinski, the former US national security adviser, has said of Obama: he does not strategise; he sermonises. Nowhere has Obama's failure been more damaging than in his handling of—or inability to handle—the Israel-Palestine stand-off. On 4 June 2009, he made a ponderous speech in Cairo that was supposed to launch a successful peace initiative. Now, two years later, not only has there been no such initiative but his envoy has packed it in and the situation has become threateningly worse. We are told that the President is going to say something more, quite soon. He will be praised for his oratory, but will it have any practical, useful or helpful consequences?

This past weekend, Israeli soldiers slaughtered 14 more Palestinian protesters. Last week, they murdered a Palestinian teenager on the west bank. Their brutal treatment of peaceful protesters with rubber bullets, tear gas, the spraying of sewage and the manhandling of women and children would be the object of condemnation if inflicted by any other country. The way in which Israeli soldiers maltreat Palestinians is appalling. A Palestinian contact of mine e-mailed me at the weekend with this description of what happened on Friday:

> "In Nabi Saleh where I was, the soldiers attacked the men and women with extreme cruelty, although our demonstration was extremely peaceful. We had at least 24 injuries, without counting injuries with pepper spray. They were shooting the gas canisters right at us, aiming at our bodies. One American citizen was shot with a canister on his head. I was standing right to him and I saw the soldier aiming at him. The man is fine now, but he lost part of his scalp."

I cannot fault the way in which our Government have reacted to this situation, and I particularly commend the Secretary of State for International Development for the way in which his Department has done everything possible to assist those affected. In the end, however, only the United States can exert the necessary pressure to make Israel see sense. The Palestinians are an oppressed people, and the Israelis will never know peace and security until there is a two-state solution. How long, O Lord, how long?

7.13 pm

Malcolm Bruce (Gordon) (LD): As befits my role as Chair of the International Development Select Committee, I will concentrate on the development aspects of this wide-ranging debate. In the context of Libya, I echo the words of the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) about the Department's prompt response to the emerging crisis in north Africa, and especially to the evacuation of people fleeing the violence of the conflict. I also commend the non-governmental organisations that are operating in difficult conditions, often under fire, to provide medical relief, assistance and support to those beleaguered people.

We all recognise the capacity of the Department to respond to these situations, and the way in which it has done so is extremely welcome, although I think that the Secretary of State would agree that Libya is not a prime target for our aid programme and budget, and nor should it be. Clearly, reconstruction should be carried out within the country's own resources, but in regard to the first and immediate response, it is good to know that we can respond as well as we have done. In passing I would point out that, as and when we get a resolution that enables Libya to start its reconstruction, the prime investment should come from within its own resources and those of its Arab League neighbours, although we will want to have a constructive engagement if, as we hope, a more benign regime emerges from the conflict.

[Malcolm Bruce]

As far as the rest of the middle east is concerned, one area of interest is the role of the European Union's external relations strategy. It has focused on the neighbourhood to the east of Europe, which does not have quite the same affinity but which has nevertheless been pursuing a Mediterranean policy. I hope that our Government will encourage the EU to shift the emphasis of its neighbourhood policy towards north Africa a little, rather than seeking to draw down more of the development budget from the UK. It is a matter of some embarrassment that the money we pay into the central budget of the EU goes into a neighbourhood policy that is classified as overseas development assistance, the prime beneficiary of which is Turkey. There is nothing wrong with encouraging Turkey to join the European Union, but it is a little disappointing that that overseas development assistance, which the UK would prefer to go to the poorest people in the poorest countries, is going to those who have the capacity to address their own problems. I hope that the UK has a degree of authority to assert in this instance. Given that we will be the first G20 country to achieve a 0.7% commitment on overseas development assistance by 2013, I think that we are entitled to say to other members of the European Union, which will not have achieved that, that they should not be diverting their aid away from where it could be most effectively targeted.

I intervened on the Foreign Secretary about the middle east peace process. We will be giving £343 million to the occupied Palestinian territories over the lifetime of this Parliament, which is a tragedy because we would not have to give anything if a proper peace process were in place. The area is not incapable of economic activity; it is prevented from being economically active by the frozen conflict. We should use whatever influence we have through the Quartet—I accept that the United States is the dominant influence—to point out to Israel that if it responds to the protests of the frustrated Palestinians in the way that Syria has responded to its protesters, the international community has a responsibility to put pressure on Israel to behave differently, even if we have no ability to intervene in Syria. We must point out that, if Israel does not unblock the peace process now, it could make matters much worse in the short to medium term and that it is really missing an opportunity.

Afghanistan and Pakistan are totally interlinked. The irony is that it looks as though we have more possibility of achieving stability in Afghanistan, difficult though that might be, than we do in Pakistan. It is instructive to take on board the fact that we are committing £2.1 billion of UK overseas development assistance over the course of this Parliament to Pakistan and Afghanistan combined. We must ensure that people understand why we are doing that. The military engagement in Afghanistan understandably gets all the attention, because our soldiers—male and female—are losing their lives in that operation. At the end of the day, however, it is our ability to deliver real improvements in the quality of life, education, health and livelihoods in Afghanistan that will have the most chance of giving people a sense that our engagement has validity and that we are on their side rather than against them.

The same applies, perhaps even more, in Pakistan. I know that the Secretary of State has placed particular emphasis on visiting that country and ensuring that our aid has precisely that effect. Pakistan has a huge, young and very suggestible population who are open to persuasion to take up extreme political positions. The best way to address that—although the outcome is not guaranteed—is to give people access to things that will give them a stake in the future and make them less inclined to join the terrorist activity to which they might otherwise be recruited.

I want to summarise the complicated developments taking place all over the world. Just as the collapse of the Soviet Union took place with unexpected suddenness, so did the onset of what is being called the Arab spring. Looking back to the collapse of the Soviet Union, we can see that we failed to hold Russia to a path of pluralism, democracy and human rights, but we were able to offer its satellites the opportunity to break away from the Soviet Union, achieve democracy and join NATO and the European Union. We cannot do quite the same for the Arab states, but we should hold out a hand of friendship and encouragement. To the extent that they can move towards pluralism, democracy and human rights, they will find willing partners to engage with in Europe.

We must not underestimate the fact that the Iraq war incensed middle eastern and Arab opinion. It also distracted us from the legitimate tasks in Afghanistan, took our eyes off Pakistan and, in many ways, damaged the legitimacy of the democratic world when engaging in these issues. We need to tread more softly if we are to build trust and respect that can open the way for economic development and poverty reduction, and expand the numbers and proportion of people in all those countries who have a stake in peace, transparency and the rule of law. We need to be a little more humble and a little less arrogant, and we need to use our soft power development funding in ways that build trust and confidence where our foreign policy has not always achieved the same result.

7.20 pm

Dan Jarvis (Barnsley Central) (Lab): As we approach the sixth anniversary of 7/7 and the 10th anniversary of 9/11, my thoughts turn to the lives so tragically lost. It is clear that the war on terror is the battle of our era—a struggle to rid perceptions and ethics, ideology and religion of extremism and its deadly inevitability.

I find it hard to rejoice at the death of any man, even that of Osama bin Laden. I hope that his death is the beginning of the end for al-Qaeda—I accept that it might not be—but we must not be naive of history: no individual is irreplaceable; the war, the fight and the danger are far from over. However, bin Laden's death provides us with an opportunity which, if seized, could lead to real progress in the fight against extremist violence, especially on the two key fronts of Pakistan and Afghanistan. There could be no better tribute to bin Laden's victims than to use his death for lasting good.

In this war, our relationship with Pakistan is perhaps the most crucial. One immediate impact of the raid on Abbottabad has been to put that country under pressure as never before. One well-informed observer in Pakistan told me over the weekend that the country feels like it is in anaphylactic shock, while some in my constituency called for us to review our co-operation and aid in the light of the perception that Pakistan was complicit in harbouring the world's most wanted man.

I doubt whether we will ever know the hard facts about what the Government of Pakistan knew or did not know about bin Laden's whereabouts. It should be investigated, but what is most important is the bigger question of our overall longer-term relationship with Pakistan. There are clearly severe problems that need to be resolved and changes that can and must be made. We need urgently to find new ways to do that, but there is an overriding mutual interest in making the relationship work. I think that the basic outline of how to achieve that is clear.

Pakistan has legitimate concerns about sovereignty and its own security. Those concerns can be addressed, but in exchange, the Pakistanis cannot pursue those interests in a way that directly undermines stability in Afghanistan and harbours extremism at home or abroad. I believe that the crisis that has followed the killing of bin Laden provides a real opportunity for ourselves and the Pakistanis to reflect on how we refine our relationship to suit our shared interests. It is an opportunity we must take; indeed, we have to take it and we have to get it right. The consequences of failure—for ourselves and for the Pakistanis alike—are too dangerous to contemplate.

The UK's interest in a stable, democratic and peaceful Pakistan is clear. The country faces serious challenges and internal divisions. Those are very real: they include rising political tensions, unrest in the tribal areas, insecurity on its borders and more violent extremist groups than any other nation in the world. As with the wider middle east and north Africa as well as Afghanistan, the UK will feel the effects of state failure in Pakistan all too directly. The path used to import its product—whether it be drugs, the hateful rhetoric of extremism or the suicide bomber—is well trodden. We should also not forget how many of Pakistan's people have died as a result of terrorism or in their fight to contain it. The prospect of a nuclear-armed Pakistan collapsing into internal strife or war with its neighbours is a nightmare. Now, more than ever, Pakistanis need us to stand shoulder to shoulder with them.

Rory Stewart (Penrith and The Border) (Con): It is great to say that we should stand shoulder to shoulder with Pakistan and that we should respect its security interests, but what exactly does the hon. Gentleman mean? Does he mean recognise the Durand line or the boundaries with Kashmir? What security interests is he talking about; what concessions is he proposing?

Dan Jarvis: I thank the hon. Gentleman for his intervention. It neatly brings me on to the points I am about to cover.

What I believe is that we and our allies must work closely with Pakistan and that we must address its fears about its relationships with Afghanistan, India, other neighbours—and, crucially, as already mentioned, with the United States. We must do that in a way that acknowledges the particular challenges that the country faces. We must work together to find ways to tackle extremist groups without overly infringing on Pakistani sovereignty. I accept that the hon. Gentleman has made a good point, but the time constraints mean that I will not be able to go into detail now on the questions he asked. I would say, however, that in order to refine UK-Pakistan relations, we must find the balance between respecting Pakistan's sovereignty and the eradication of Islamist extremist networks operating from Pakistan. The threat to both of us from the unchecked rise of extremism is too great to ignore. Perhaps most immediately, Pakistan can play a decisive role in reaching a fair and lasting peace in Afghanistan.

We are at an important crossroads in our relationship with Pakistan. The death of the head of al-Qaeda is significant, but we must remain engaged: this is a fight for the long term and we must leave those who would attack us in no doubt that we have the stomach for it. We should not stick blindly, however, to the path we have followed up to now. There are real dangers in our current position, but there are also real opportunities. We must be ready to seize them if we are to achieve the peace we all desire.

7.27 pm

Mr Roger Gale (North Thanet) (Con): In January this year, I had the privilege to visit Pakistan with the Commonwealth Parliamentary Association delegation. We all know that the danger with such visits is that we travel fast, meet a few people and come back as instant experts. I am aware that many Members know much more about the subject than me, but I feel completely confident in saying what I am about to say.

Sadly, it has recently become fashionable to criticise Pakistan—to criticise the amount of aid that we give it and to criticise it for being lukewarm in its reaction to the terror threat. The point has been made this evening on a number of occasions that Pakistan has invested more blood and treasure than any other country in the world in the fight against terrorism. We met the Pakistan Minister for Minorities, Dr Shahbaz Bhatti on 24 January; a fortnight later, Dr Bhatti was dead—murdered because of his Christianity and, more particularly, I think, because of his commitment to the cause of moderation. If such people are not to have died in vain, we have to ensure that we stand behind Pakistan and offer such assistance as we can.

The country has changed its constitution. There will be a shift of power from federal government to the regions. The point has also been made that it is a young country in respect of its population—it is one of the few countries in the world with more young people than old people. The young people we met were hugely enthusiastic for their future, but they were also hopelessly disorganised. In the regions, the democratic processes and the infrastructure are lamentable.

I know that my right hon. Friend the Secretary of State for International Development is hugely committed to the cause of education in Pakistan, but we need to go one step further and strengthen the democratic infrastructure, perhaps through institutions such as the Westminster Foundation for Democracy, so as to enable the transfer of power from the federal government to the regions without extremism taking over. We will report to the Minister next Monday, and we will make those points then, but I want to make them to my right hon. Friend here tonight and to put them on the record.

I have the honour to be the chairman of the all-party parliamentary Tunisia group. The Arab spring, as it is now called, actually began in midwinter with the jasmine revolution in Tunisia. Since then, the introduction of an interim Government has led to the creation of an election commission, which has set in train the processes for the democratic elections that we hope and believe—

[Mr Roger Gale]

despite some misgivings—will still be held on 24 July. I say "despite some misgivings", because the task is herculean. In the time available, the commission must try to create a register and an identification process, and it must try to work out the detail of the election itself. It must establish whether the election will be held in constituency terms or nationally on a proportional-representation basis. As things stand, some 60 parties will be entering the election, which will create huge problems in itself.

The choice, however, is between action now and delay. Delay will lead to further unrest and further confusion. The consensus seems to be that it is right to move ahead, accepting the fact that the election will probably be ragged around the edges. Those of us who have worked as international election observers know only too well that in developing countries there must be an acceptance of some degree of imperfection. If we judge on the basis of our own methods, perhaps we should not look too closely at the dust in other people's eyes.

The important part of the process will be what follows the election. The Government who are elected will again be an interim Government, but they will have been elected. They will be charged with the duty of creating a constitution that will then be taken back to the people for a further election, and only then will the real process of reconstruction start. However, that should not gainsay the fact that Tunisia is, at this moment, open for business. What it needs more than anything else is economic development and investment. The tourism industry is on its knees, but the country is safe and able to receive visitors.

The other problem that Tunisia has with Europe is that Europe will not take its agricultural goods, which has implications for rural jobs. It is not good enough for France and Italy to complain about the number of migrants from north African countries, while closing their doors to the produce that those countries, especially Tunisia, need to sell in order to create the jobs that will keep migrant workers at home and enable them to grow their own economies.

The abandoning of the Schengen agreement by France and Italy should come as no surprise to any Member, but it would behove, in particular, the southern states of the European Union to try to create real opportunities, rather than investing cash in programmes that may or may not lead to jobs in the longer term. They should immediately consider the possibility of bringing Tunisia into a customs union, so that it can look to Europe legitimately and play a real part in the development of the Arab spring and of democracy.

7.34 pm

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): I welcome the opportunity to contribute to the debate, and, in particular, to follow so many hon. Members with great expertise in the matters that we are discussing. I do not claim to have such expertise, but it is important to put on record some of my concerns and those conveyed to me by constituents, including women—I note in passing that I am now the only female Member in the Chamber.

It is important for us to debate a situation that continues to develop on a daily basis in Libya, as well as wider issues relating to the middle east and north Africa. There are far too many of those issues for me to be able to cover them in a short speech, so I shall focus on matters involving Libya.

Like many other Members, I thought long and hard before deciding to support the Government in their Libya mission. I am not naturally inclined towards armed interventions, and many of my constituents expressed concern about what such an intervention would lead to, but—albeit with a heavy heart—I felt it necessary for us to enforce UN security resolution 1973 in view of the rapid deterioration towards a one-sided armed conflict and the humanitarian crisis that was likely to follow, particularly given the number of non-military casualties.

I have no doubt that the British forces have performed their role in an exemplary and professional fashion, as they always do, and that they have contributed significantly to the protection of the civilian population. As we have already heard, however, the challenge now is to define our future role and establish at what stage we will feel able to withdraw. Regretfully, I have to say that there currently seems to be a lack of strategic direction. In recent weeks, the Government appear to have made tactical and operational decisions that begin to depart from the original mandate of protecting civilians. The Government's decision to provide telecommunications, body armour and a number of military advisers seems to me, and to many of my constituents, to have more to do with a military situation developing on the ground in Libya than with simply enforcing the resolution. I also regret having to express the view that the Government have failed to communicate to the public, and indeed to Parliament, the exact role of those people in a developing situation. For how long will they be deployed, and how does their role relate to the wider remit of protecting civilians? Those questions remain unanswered.

It seems that none of the measures represents a breach of the mandate provided by the United Nations and approved by the House, but they suggest a move towards measures that are beyond what I expected in supporting the Government when we debated the issue. Perhaps, when he winds up the debate, the Secretary of State for International Development will identify some specific issues and make the case for the strategic role of the advisers in resolving the crisis. Specifically, the advisers are there as a result of the Foreign Secretary's assertion to the House on 26 April that

> "it is impossible to see a way of securing the full implementation of the UN Security Council resolution while Colonel Gaddafi remains."—[*Official Report*, 26 April 2011; Vol. 527, c. 40.]

A number of Members have commented on that statement. Is the mission now to remove Gaddafi at all costs, rather than simply to ensure the protection of civilians? If the Foreign Secretary's statement is informing strategic military decisions, the Government must be absolutely clear and up front. That is vital in the context of some of the comments made today about a possible move towards identifying different targets.

Martin Horwood (Cheltenham) (LD): Does the hon. Lady appreciate the distinction between the wishes of the British Government, in terms of someone who is now wanted by the International Criminal Court, and what the UN resolution sanctions in terms of the military mission by the international community? Those are two different things.

Cathy Jamieson: Of course they are two different things, but I have worries, which were identified at the outset of the process, about where we will end up and about the possibility of mission creep. It is important for the Government to continue to report back to those of us who, while supporting the Government, had and still have concerns.

There may also be a danger that as the conflict has continued, many of us—including the wider public—have become used to seeing images of it on our TV screens. Fewer column inches may have been devoted to reporting the details in the press, causing people to become immune to the process. That is why, as the hon. Member for Cheltenham (Martin Horwood) has implied, it is vital for the House to have an opportunity to hear from Ministers regularly, and to be allowed a further vote if measures beyond those outlined in resolution 1973 are considered at any stage. Understandably, the military situation and western involvement in Libya have become the focus of media attention and therefore of public debate, but in the wider region there is also a whole range of other, non-military options, which I hope the Government will support. I look forward to hearing what the Minister has to say about that.

It is important that wherever we are involved in trying to resolve conflict, we support universal suffrage and the democratic process, which is especially the case in countries that are on the brink of a bright new future. It is reassuring that the UK is at the forefront of pressing for European Union action, and that an agreement has been reached on an arms embargo and the revocation of the association agreement that had been put in place with Syria.

My final point is about the ability of the UK to offer continued commitment to the aims of resolution 1973. The Select Committee on Defence asked whether the UK will remain a full-spectrum force capable of deploying all aspects of military power across the world, and the chiefs of all three services—the British Army, Navy and Air Force—answered no. However, that view seemed to be contradicted by many senior UK officials, such as Britain's ambassador to the US, who maintained that the UK has emerged from the recent strategic defence review and the ensuing round of spending cuts announced by the Prime Minister in October as a full-spectrum military power. It is important that we understand what effect the cuts are going to have, and what their implications will be for our work in all the areas where we are currently involved.

In conclusion, I make the following plea. While British troops remain deployed in Afghanistan and elsewhere, it is vital that our armed forces are not stretched to breaking point. It is also important that we continue to give humanitarian aid, and I hope that that becomes the focus of our work. I urge the Government to ensure that the focus is on bringing peace in all areas of conflict where we are involved, supporting humanitarian aid and, importantly, returning our armed forces safely to the UK as soon as possible.

7.42 pm

Sir John Stanley (Tonbridge and Malling) (Con): In the House on 21 March, the Prime Minister said in answer to a question from the hon. Member for Brighton, Pavilion (Caroline Lucas) about the current violence in north Africa and the middle east:

> "I agree with the hon. Lady that there will be lessons to learn from the conflict for the future."—[*Official Report*, 21 March 2011; Vol. 525, c. 707.]

I want to focus on one area where I believe that there is a very important lesson to be learned—arms export policy. That question arises because in the two years prior to the Arab spring, under both the current and previous Governments, arms export licences for weapons that can be used for internal repression were granted on an extremely wide scale throughout north Africa and the middle east, and those export licence approvals have been shown to have been grievously mistaken.

The policy was clearly stated on 18 February by the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North East Bedfordshire (Alistair Burt):

> "The longstanding British position is clear. We will not issue licences where we judge there is a clear risk the proposed export might provoke or prolong regional or internal conflicts or"—

this is the key policy statement—

> "which might be used to facilitate internal repression."

The recent Committees on Arms Export Controls report sets out quarter by quarter since the beginning of 2009 the details of the arms export licences that were approved in each period. That shows, for example, sub-machine-guns and sniper rifles to Bahrain, and components for semi-automatic pistols and sub-machine-guns, artillery computers, combat shotguns, intelligence equipment and small arms ammunition to Libya. Since the publication of that report, the latest quarterly report has been published, taking us up to the last quarter of 2010—in other words, to a matter of two or three weeks before the start of the Arab spring. It shows that even in that period we were exporting equipment for sniper rifles to Bahrain and components for combat aircraft, military equipment for initiating explosives and weapon night-sights to Libya.

If one Government statement reflects the over-optimism that has afflicted both the current and the previous Governments about the risks that are run in exporting certain types of weapons to authoritarian regimes, it is to be found in the 2008 annual report on strategic arms exports. There was a case study of a licence application for armoured personnel carriers for Libya, which concluded:

> "There remain wider human rights risks in Libya, but it was judged very unlikely that these vehicles would be used to carry out abuses. As a result it was concluded, with reference to the Consolidated Criteria, that there was not a clear risk that these vehicles would be used for internal repression and the licence was approved."

I think that conclusion was symptomatic of the policy followed by both Governments.

Martin Horwood: I strongly support many of the points that my right hon. Friend is making, and it is absolutely proper to raise this issue. However, we both welcome the fact that the current Government have revoked more than 150 such arms licences granted by the Labour Government, and we both welcome the fact that this Government are currently actively reviewing the whole policy of arms exports.

Sir John Stanley: That anticipates the point that I am about to make.

Britain was, of course, by no means the only country to engage in this degree of over-optimism and, as has been said, the Government have sought to retrieve the

[Sir John Stanley]

position. First, they have announced the revocation of a substantial number of arms export licences. Indeed, according to the latest figures, between 27 January and 9 March this year more than 150 previously granted arms export licences were revoked. That serves to highlight the scale of the previous misjudgment.

Why, however, are those revocations limited to just four countries—Tunisia, Egypt, Libya and Bahrain? Why have there been no revocations of arms exports to Syria, for example? Why, too, have there been no revocations of arms exports to Saudi Arabia, whose British-made armoured personnel carriers have rolled into Bahrain and are therefore complicit, as it were, in the appalling abuses of human rights there? Of course, I understand that Saudi Arabia is big money, is big oil, and is useful intelligence, but can the Government really justify such a blatant degree of inconsistency in their revocations policy?

Secondly, I greatly welcome the review of arms export licences, but it has been initiated only in relation to north Africa and the middle east, while recent events also suggest that there are serious questions to be raised about arms export licence policy for weapons that can be used for internal repression in relation to authoritarian regimes worldwide. Sadly, authoritarian regimes extend from the boundaries of the European Union to the very furthest east. There are too many authoritarian regimes in Africa and some in central and south America. The current review should therefore be extended to cover authoritarian regimes worldwide. The Committees on Arms Export Controls has recommended that, and I earnestly hope that the Government will accept that recommendation and the other recommendations in our report.

7.49 pm

Mike Gapes (Ilford South) (Lab/Co-op): It is a pleasure to follow the right hon. Member for Tonbridge and Malling (Sir John Stanley). He and I have served together on the Committees on Arms Export Controls and on the Select Committee on Foreign Affairs for many years, and he speaks a great deal of sense on arms exports issues.

Somebody once said, in the context of British politics, "You can be in office and not in power." That situation clearly applies in a number of countries around the world, but I wish to focus my remarks, as others have done, on what is happening in Pakistan. The fact that Osama Bin Laden apparently lived in Abbottabad with food and access to information, although not to the internet, and was somehow protected, is a matter of deep concern, but I have no doubt that the Government of President Zardari had no knowledge that that was the case. The question for us, which is highlighted in a very good book that came out this week, "Pakistan: A Hard Country" by Anatol Lieven, is about the relationship between the civil society and the political society in Pakistan and the military and intelligence elite that has run that state.

Anatol Lieven says that:

> "the Pakistani national security state…was born chiefly out of fear of, and hostility to, India. This is felt most strongly in the military and, in the ISI, it is a raging monomania."

That sums up the problem. According to an opinion poll of about two years ago, 85% of the Pakistani population want better relations with India. We find the same thing when we speak to people in the British-Pakistani and British-Indian community—many of whom, including many of my constituents, have roots in the divided Punjab—and when we go, as I did with the Foreign Affairs Committee five years ago, by road from Amritsar to Lahore, through the Wagah crossing. If we leave aside the symbolism of the soldiers on both sides at the ceremony, we also find the interesting sight of the bearers, who, on the one side, carry sacks of onions on their heads for about a mile and half and, on the other side, carry boxes of dried fruit. This is an international border where people cannot trade by means of vehicles passing through; everything has to be unloaded and then loaded again.

Economic co-operation between India and Pakistan would be of great benefit to both countries, especially in dealing with Pakistan's problems arising from its rapidly growing population: it has 180 million people, and that is on the way to becoming 300 million or 350 million. Massive difficulties are also caused by the fact that a disproportionate amount of money in Pakistan is taken up by the national security structure, and because the obsession with India means that it is a state that has in the past, through its Inter-Services Intelligence, sponsored terrorist organisations and insurgent groups in both Afghanistan and India. The democratic and secular forces—the people, including the late Shahbaz Bhatti, to whom reference has been made, who believe in women's rights and in protecting minorities, and who stand up for ethical values and global values of human rights—are besieged now in Pakistan because of the international context.

The Pakistani Government and Pakistani politicians can rightly point out that many of the problems they face arise because of the misguided interventions of 25 and 30 years ago, which led to the situation in Afghanistan, where the groups that evolved into the Taliban were developed. However, there was also a Pakistani hand in some of that; they got the money from the United States—from the CIA—it was pushed through the ISI and it went through to people such as Mr Hekmatyar, to what is now the Haqqani network in Afghanistan, and to the Taliban.

That worm has turned, and the Pakistani state faces enormous threats from those organisations, but it also has its own resilience and ability to fight back. In my opinion, it is good news that Osama Bin Laden was killed and is dead, and however critical we might be of the fact that he was in Pakistan, we need to make an assessment and take a clear view. The Government of Pakistan were not shielding that man, nor were the Pakistani people. That was done by certain rogue elements within their society, and it would be completely wrong to do what some in the United States Congress are calling for and punish Pakistan by cutting off economic assistance and ending co-operation.

What Pakistan needs today is our solidarity against the terrorist threat it faces. Its secular politicians need our support and encouragement to rebuild the dialogue with India, to resolve the difficulties over Kashmir and to co-operate against the common threats of terrorism which both those countries are facing. That is not going to be easy—the history and the fact that the pain is so deep on both sides means that it will be very difficult—but the alternative is to play into the hands of the extremist groups that wish to foster a failed state, further conflict and terrorism. That will not only be destructive to all the values of Pakistan and India, but it will blow back into this country because people here have family roots in that part of the world. We owe it to them, as well as to ourselves, to work in co-operation with Pakistan at this time of great difficulty.

7.57 pm

Mr James Arbuthnot (North East Hampshire) (Con): It is a pleasure to follow the hon. Member for Ilford South (Mike Gapes), the former Chairman of the Foreign Affairs Committee. I agreed with almost everything he said. I agreed with the main thrust of it, and with his point about the essential need for our continued involvement in Pakistan in terms of providing aid and support. I also pay tribute to my right hon. Friend the Secretary of State for International Development for his concentration on the issue of education in Pakistan. A country that spends only 2% of its gross domestic product on education is one that must cause considerable concern to the rest of the world, as it is doing now.

I declare my interest as the chairman of the Conservative Friends of Israel, and I wish to say two things, which may take me a little time. First, it has become increasingly clear over the past six months that the middle eastern problem is not Israel. When Osama bin Laden was killed a few weeks ago, an important article by Robert Fisk appeared in *The Independent*, in which he made the point that al-Qaeda's irrelevance has been shown by the fact that the Arab spring was demanding not more Islamic fundamentalism, but freedoms. It is just as important to note that the Arab spring has not been demanding a change in Palestine, essential though that change is; the Arab spring has been demanding the sort of freedoms—freedom of speech, freedom of the press and the rule of law—that are provided and embodied in Israel. My main initial point about Israel is that it is not the middle eastern problem; the autocratic regimes that have been surrounding Israel are the problem.

The second issue—it looks as though I shall have plenty of time to finish within my eight minutes—is the rapprochement between Hamas and Fatah. I would like to ask what it means. If it means that Hamas and Fatah will be united on the Fatah way of looking at things—the renunciation of violence, the recognition of Israel, the agreement to maintain and honour previous agreements—it will be a very good thing indeed. If, however, it means that they will be united on the Hamas view of things, that is entirely different. We know about Hamas. In the last month alone more than 120 rockets have been fired into Israel from Gaza, some with 40 km in range. There have been rockets and mortars, and a guided anti-tank missile hit a school bus in Israel and killed a 16-year-old schoolboy. Terrorism sponsored by, perpetrated by and supported by Hamas has killed more than 500 people in Israel since the beginning of 2003.

If the new Hamas-Fatah organisation follows the Fatah line I will be utterly delighted. That would mean that we could negotiate with Hamas again and that Israel would have a useful negotiating partner, because all these things must be achieved by negotiation and cannot be achieved by force or unilateralism. If, however, the new united organisation follows the Hamas line, the reconciliation will be either meaningless or significantly worse. This is not a various shades of grey issue, but a black and white one.

Mike Gapes: Does the right hon. Gentleman not agree that one of the important consequences of this agreement is that it allows a programme to go forward for democratic elections, hopefully at the end of this year or the beginning of next, that will then allow the Palestinian people as a whole to elect a new Parliament and a new President? That is vital if we are to get serious negotiation between Israel and the Palestinians.

Mr Arbuthnot: I agree that that is very important. I asked the Prime Minister a month or so ago whether he was concerned that when the President of the Palestinian Authority called for elections, Hamas immediately rejected that—Hamas having been a democratically elected organisation that renounced democracy once its mandate had expired. I agree, however, that the notion of bringing democracy back to Hamas would be a welcome change.

Unfortunately, I think there is a risk that in the British Foreign Office the view is that this is a matter of shades of grey as opposed to black and white. For Israel it is not a matter of shades of grey. Israel has been struggling to secure itself and just to exist. When it comes to murdering schoolchildren, which Hamas went in for, that cannot be regarded as shades of grey.

Jeremy Corbyn: Does the right hon. Gentleman not think that things such as the killing of 13 people at Qalandiya crossing yesterday by Israeli forces, the continued expansion of settlements and the taking over of Silwan in East Jerusalem need to change in Israel if there is to be any hope of some longer-term peace agreement?

Mr Arbuthnot: I agree about the settlements, and I have said so in a speech in this Chamber. The hon. Gentleman heard me say that in the last speech I made about Israel. As for what happened at the crossing, I think the Government are right to call for restraint on all sides. There seems to me to be something very convenient about Israel moving in to the headlines as soon as there were clashes on the border of Syria and Lebanon. I am profoundly suspicious about what was behind those clashes.

At a time when the Arab spring is showing that the Arab people are desperate for freedoms, now is not the time for the United Kingdom or the international community to abandon the Quartet's principles. They must demand that Hamas should renounce violence, recognise the state of Israel and honour the previous agreements.

8.5 pm

Mr David Winnick (Walsall North) (Lab): I listened to the speech made by the right hon. Member for North East Hampshire (Mr Arbuthnot) with much interest, but there have been many civilian casualties on both sides and innocent people have been killed; indeed, that happened over the weekend, as many of my hon. Friends, including my hon. Friend the Member for Islington North (Jeremy Corbyn), have said. What is required is a genuine peace settlement.

I was not going to speak about the Israeli-Palestinian conflict until the right hon. Member for North East Hampshire provoked me. There are only two Members in the House who were here in 1967, when the war took place, and I am one of the two. I expressed my point of view on the situation at the time. With respect to the

[Mr David Winnick]

right hon. Gentleman, it is not a question of Israel now fighting for its very existence, but of the absolute refusal of Israel to come to any genuine agreement for a viable and independent Palestinian state. The Israeli settlements that have been built on the west bank surely demonstrate a lack of commitment on the part of Israel to what the international community—including, of course, the United Kingdom—would like to see: a two-state solution.

We can disagree about Hamas and the rest. Obviously, what Hamas stands for, being basically an Islamic fundamentalist concept, to say the least, is totally alien to everything I believe in. That goes without saying, but in negotiations one deals with one's enemy. After all, if anyone is says that it is impossible to reach agreement with Hamas, we know that the IRA argued for years that there could be absolutely no solution in Northern Ireland until Britain decided to leave, yet a very different situation emerged. Those who, like the right hon. Member for North East Hampshire, take the Israeli point of view very strongly would do far more good if they could pressurise Israel to recognise that there needs to be a wide-ranging agreement.

If it was right, in the circumstances of the extermination of millions of people, for Israel to be created by the international community in 1947 and 1948, let us not forget for one moment the tremendous injustice that was done to the Palestinians as a result. The Palestinians were not responsible for what happened to the Jewish people during the second world war.

I now turn to the question of Libya. I made it clear in my speech on 21 March, in the previous debate on Libya, that I could not support the Government. I hesitated about voting against the motion, and in fact I abstained. I had hesitations during that debate, not because I did not want to see humanitarian action taken—obviously, I wanted help to be given to civilians in Libya who could be at the mercy of Gaddafi; that goes without saying—but I had the feeling that resolution 1973 would in practice result in an attempt at regime change. All that has occurred in more recent weeks, since that debate, has persuaded me that in spite all the denials we heard today from the Foreign Secretary and the rest, at the end of it all what is required is that Gaddafi should abdicate, that there should be regime change and that, if necessary, Gaddafi could be the subject of an assassination attempt.

I am no apologist for Gaddafi; heaven forbid. I have opposed the regime ever since he took power 32 years ago, as it was obviously based on tyranny and was much involved in international terrorism, as we know. Why on earth should I in any circumstances wish to defend or justify such a regime? But international law does not permit regime change or the assassination of a leader. The remarks of the Army chief, General Richards, over the weekend are bound to cause added worry. What will happen is an escalation of what has been occurring in the air strikes of the past fortnight or so. It is interesting that so many of the Members on both sides of the House who have spoken in this debate, most of whom voted with the Government on 21 March, have expressed the same reservations and concern about what is happening in Libya that I am expressing now.

The right hon. Member for Tonbridge and Malling (Sir John Stanley) made a very good speech about the selling of arms to authoritarian states. There was hardly a word he said, even in his criticism of the previous Government, with which I could disagree. As he pointed out, it is interesting to note that however despicable the Gaddafi regime has been, Britain was selling arms to it right up to the moment before the demonstrations when opposition emerged in Libya. Why did we do that, and why do we sell arms to other states that are based on tyranny? Syria, which the right hon. Gentleman mentioned, is a good example of that. I certainly hope that there will be far greater concern about that in future, and that more attempts will be made to ensure that Britain is not involved in selling arms to countries such as Gaddafi's Libya.

Turkey has put forward certain proposals regarding Libya that I should have thought it would be useful to try. It has urged an immediate ceasefire and has emphasised the need to start a political process leading to Gaddafi's leaving office. The Government say that there is no wish on Gaddafi's part to engage in a genuine ceasefire, but let us test that; let us see. Let us use Turkey's proposals, which seem worth trying at least, and in so doing save lives.

Had there been time I would also have discussed Afghanistan and the wish to end as soon as possible the use of British military forces there. In the absence of time, I will simply say again to the Government that although they received support from the overwhelming majority on 21 March, that majority did not support regime change, and that resolution 1973 should not be used for that purpose.

8.13 pm

Sajid Javid (Bromsgrove) (Con): It is an honour to follow the hon. Member for Walsall North (Mr Winnick), who can always be relied on to make a thoughtful contribution.

In 1961, a young man, Abdul-Ghani, left his poverty-stricken village in Punjab, Pakistan, for England. He had heard that the mother country, as England was still known at that time, had plenty of jobs, so he decided to try his luck. Like many young Pakistanis arriving in Britain at that time, Abdul-Ghani planned to stay in England for only a few years—just long enough to earn enough money to send back to his siblings so that they could have the education that he never had. He also intended to return home because he loved his homeland. He remembered how, at the age of nine, he had been part of the largest population exchange in history, in which more than 15 million Muslims, Hindus and Sikhs had tried to find safety in their newly born nation states. To this day, he will never forget the stench of death and the heart-wrenching human misery that he witnessed.

In the early 1960s, many young Pakistanis such as Abdul-Ghani still harboured huge hopes for their country. They believed in the vision of Pakistan's founding father, Muhammad Ali Jinnah, who wanted a democratic, secular, modern state. As the years passed, Abdul-Ghani, who was by then a very proud bus driver in Rochdale, sadly came to realise that he would not be going back to Pakistan because the country was moving backwards. He gave up on his dreams of returning home and decided that he and his future family would be wise to make their permanent home in England. It is because of that decision that I am able to stand before the House and contribute to this important debate.

By the 1960s, it was already clear that the ruling bargain in Pakistan had changed. Gone was the dream of a tolerant, democratic and secular nation. In sharp contrast to the situation in neighbouring India, the rules of the game in Pakistan were being set by the Pakistani army. The army allowed the pretence of civilian rule, but everyone knew that it called all the shots. Each year, the army granted itself nearly 25% of the national budget and justified its rule on the grounds that Pakistan needed to confront its real enemy—India. Despite the very real challenges of widespread poverty and illiteracy, with enlightened leadership Pakistan could have taken the path to greater prosperity. That is not just a dream: many Muslim-majority countries have achieved that, including Turkey, Malaysia and Indonesia. Virtually every leader of Pakistan has failed his people, choosing self-interest over the national interest. They have all too often obscured their own incompetence and deceit by blaming every failure on an external, exaggerated threat. In much the same way, many Arab rulers love to blame Israel for all their problems.

I was saddened but not surprised that bin Laden was found to be living in Pakistan. Let us be clear. He was not just living in Pakistan: he was a stone's throw away from the national military academy and just a two-hour drive from Islamabad. I have no doubt that it was just and strategically right for the US to kill bin Laden, and although I do not think that the Pakistani Government were involved in any way or were complicit as a whole, I find it very hard to believe that there were not elements of the Pakistani military intelligence services and some Government officials providing him with safe harbour. To suggest otherwise is frankly laughable. That is why there is no way that Britain's relationship with Pakistan can remain the same.

When the Prime Minister visited Pakistan last year, he was right to say that Pakistan looked "both ways" when it came to terrorism. He was also right when he told the House very recently that we cannot afford to turn our back on Pakistan. If we did, the threat to Britain from the emergence of a nuclear-armed failed state in one of the world's most volatile regions would be far too great. It is in neither Britain's interest nor Pakistan's for relations to become more adversarial, but Pakistan's strategy of being both a friend and an adversary is no longer tenable. That is why we need to take a harder line on Pakistan and demand a lot more in return for our assistance, aid and friendship. The UK and the US should formally present to Pakistan's leaders any information they have about Pakistani complicity in shielding bin Laden and should demand tough and immediate action. We should demand that Pakistan uproots insurgent sanctuaries, shuts down factories that produce bombs that kill our soldiers, and hunts down leading terrorists who are still at large.

We also need to start reducing our dependence on Pakistan. First, the international security assistance force should find an alternative to the supply lines that run through Pakistan to Afghanistan, and we should expand alternative supply routes through Azerbaijan and other countries in central Asia. Secondly, NATO and Afghanistan should reach agreement on a longer-term settlement allowing for a small but lasting military presence in Afghanistan. That capability could be indispensible in preventing some of the worst-case scenarios involving Pakistan and its nuclear weapons.

When it comes to helping Pakistan, our No. 1 focus should be on promoting commerce and education, as they are the only tools to help ordinary, long-suffering Pakistanis to climb out of poverty. Our message should not be that we are abandoning Pakistan, but that we will help Pakistan fight its true enemies—ignorance, illiteracy, corrupt elites and religious conflict. Although the killing of bin Laden was an important success, a greater achievement would be to transform UK-Pakistani relations into a true partnership that fights terrorism and helps ordinary Pakistanis.

8.20 pm

Jeremy Corbyn (Islington North) (Lab): I welcome today's debate and the commitment from the Foreign Secretary that there will be regular reports to the House on the situation in Afghanistan and Libya.

The uprisings across the whole Arab world are momentous in historical terms and in many ways are a continuation of the uprisings of the 1950s, which were eventually mired in corruption and autocracy in almost every country. What we see now on the streets of so many Arab countries is a thirst for accountable government, economic sustainability and, above all, political freedoms. These developments are to be wholly welcomed, but they are not without their problems. The forces of the state that have sustained dictators in power for a very long time are hitting back in a real and quick way.

I pointed out in an intervention what was happening in Tunisia, where protesters are being fairly brutally prevented from making their views known. In the same way, progress in Egypt is up and down. Elements of the old regime constantly pop up and try to prevent industrial action by legitimate trade unions and to control society, just as the Mubarak regime did for a very long time. There should be understanding and solidarity.

While visiting Tunisia earlier this year, I recall talking to a group of young people in the central square in Tunis. It was when the protests were beginning in Libya, and I asked them whether they wanted any outside help. They said no, they did not. Historically, they had had quite enough of French colonialism, and they felt that people in the neighbouring countries had had quite enough of Italian and British colonialism. They wanted to do it themselves.

Proposing the intervention in Libya and support for the UN resolution, the Foreign Secretary made it clear that that was humanitarian; that it would create a no-fly zone; that it was designed to protect lives; and that it would be within the terms of international law. Listen to his speech today, follow the mood music, follow the statements made by NATO and all the others, and it is clear that the whole intervention is about regime change and occupation. The rush to provide facilities and support for the transitional council, which has renamed itself after its members were called "rebels" for a long time, suggests to me that we are in fact involved in a civil war.

I am not here, any more than my Friend the Member for Walsall North (Mr Winnick) is, to defend the human rights abuses of the Gaddafi regime. I just feel that we have involved ourselves in a civil war, that there are ulterior motives relating to oil and future markets, and that a macabre demonstration is taking place to show the power of various defence systems and strike aircraft.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): My hon. Friend had the wisdom to vote against this ill-fated intervention. Does he agree that it is concerning that we are sending so-called advisers to the region? In other interventions of this kind, where advisers go, troops cannot be far behind.

Jeremy Corbyn: The parallel is Vietnam 1963, when several thousand CIA advisers descended on that country. That eventually turned out to be 500,000 US troops, 100,000 of whom died there. A million Vietnamese also died in that conflict. We should be slightly more careful, more sanguine and less gung-ho about the process.

Turkey has tried to bring about a peace process, as has the African Union, but what hope is there for a peace process and a diplomatic settlement if the language coming from NATO and others is, "We are going to win this conflict"? That is the subtext.

Paul Flynn: It is an extremely rare event when I disagree with my hon. Friend on this subject, but does he understand the predicament of many of us in the House when that vote was taken on whether we should intervene? If we did not intervene, we were leaving the people of Benghazi defenceless against the bloodthirsty threats of Gaddafi.

Jeremy Corbyn: I have no doubt that the forces of the Gaddafi regime were being very brutal to people in Benghazi, just as the forces in Tunisia and Egypt were brutal to people in those countries. If the west was serious about bringing about a diplomatic solution in Libya, the Secretary-General of the UN and Heads of State would have gone there and there would have been a real effort, but the subtext the whole time, by Sarkozy particularly, was that they wanted military intervention and a no-fly zone. I voted against it because I do not believe that the intervention was as high-minded as my hon. Friend suggests it may have been, and many Members who voted for the motion on that day are having some doubts about what went on on that occasion.

Yasmin Qureshi (Bolton South East) (Lab) *rose*—

Jeremy Corbyn: I will not give way any more as I have had my allotted injury time, if the House understands what I mean.

I want to mention two other topics. I believe that there are double standards at work. The west has intervened in Libya, where there are large amounts of oil and where, under Tony Blair, a deal was done with the Government and arms were sold. They were being sold right up to the point when NATO was preparing to go in there. Interestingly, the arms sales there and in every other country in the region are, yes, planes, missiles and radar systems, but in every case they include anti-personnel equipment for crowd control, to deal with civil disorder and control populations.

That is what is now happening in Bahrain, with the support of Saudi Arabia. Other Members have drawn attention to what is going on there. I was with the Bahraini opposition groups in London last week. I first met Bahraini opposition groups at a UN human rights conference in Copenhagen in 1986, when they were complaining about British support for the regime, the suspension of the constitution and the lack of democracy in Bahrain. That has not stopped this country doing a lot of business with Bahrain. It has not stopped arms exports and oil imports from Bahrain. I would like condemnation of the violence of the Bahrain and the Saudi regimes equal to the condemnation of the Libyan regime and, rightly, of the Syrian regime for what it is doing.

My last point concerns Palestine. Yesterday, on the anniversary of Nakba, the day on which the Palestinian people were driven out of what is now the state of Israel to become that vast diaspora, was the occasion for demonstrations outside the Kalandia crossing. Thirteen Palestinians were shot dead. Last year or the year before, Operation Cast Lead over Gaza brought about the deaths of nearly 1,500 people in that bombardment. Routine operations by Israeli forces over Gaza result in deaths. Rocket attacks and suicide attacks also result in deaths.

However, there seems almost to be an approval of Israel and its perceptions of its own security needs to the exclusion of all understanding of just how brutal the regime has been towards Palestinians. If someone tries to travel through the west bank and sees the settlements, the settler-only roads, the checkpoints and the abuse that Palestinians receive every day from Israeli border guards, they will understand why people feel so angry. They will see the walls being built, the wells being taken away and the opportunity for economic life being removed. The people in Gaza are living in an open prison and young people are growing up living their lives vicariously through TV and computer screens because they cannot work and they cannot travel—they cannot do anything. They get very angry. There must be a recognition of the rights and needs of Palestinian people.

Likewise, the huge Palestinian diaspora, largely living in refugee camps in Jordan, Lebanon and Syria, but also all over the world, feels very angry. On a visit to Lebanon earlier this year my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman), who led the delegation, and I met an old man living in Shatila refugee camp—hon. Members will remember the Sabra and Shatila massacres in 1982. A man in his mid-80s could remember with absolute precision every tree, house and well of his Palestinian village, which he was driven out of when the state of Israel was established. Is he determined to go back? Yes. Does he think he has a right to go back? Absolutely. Do the people in that camp think they have a right to return? They absolutely do. This anger among Palestinian people is a cause that will go on for a very long time.

The result of 1948 might have been seen as a reasonable diplomatic solution to the massive and awful experience that Jewish people experienced before and during the second world war, but the residue of the ill-treatment of the Palestinian people lives on. The state of Palestine needs to be supported and the Palestinian people need to be recognised. If we do not do so, the cause will go on for a very long time. We cannot just sell arms to Israel and pretend that what is happening to the Palestinians is nothing to do with us.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am concerned that everyone who wishes to speak in the debate should get in. The only way we can do that is by reducing the time limit on speeches to six minutes, in fairness to Members who have been waiting.

8.31 pm

Nick Boles (Grantham and Stamford) (Con): Thank you, Mr Deputy Speaker—it is just my luck to have the axe fall as I rise.

Mr Winnick: It was nothing personal.

Nick Boles: I am not so sure about that. Nevertheless, it is fortuitous that I find myself following the hon. Member for Islington North (Jeremy Corbyn), whose speech I listened to with great interest, because I hope to shed some other light on the situation. I should start by declaring two interests. First, I do some work with the Britain Israel Communications and Research Centre. Secondly, and perhaps more important, I very recently tied the knot with my Israeli partner.

I am afraid that it is with sadness, but not surprise, that I find myself speaking a day after another depressing turn in the wheel of futility and violence that characterises the conflict between Israel and the Palestinians. All Members of the House—from the hon. Member for Islington North, the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) and the hon. Member for Walsall North (Mr Winnick) to all Government Members—want to help them break out of this morbid cycle, but we will do so, as the hon. Member for Islington North said, only if we understand the fears and motivations of all parties in the dispute and grasp the way they perceive their situation, not how we perceive it.

Other hon. Members are more qualified than I am to shed light on the Palestinian point of view—the hon. Gentleman has done so, as I hope and trust will other hon. Members. I want to try to contribute a little understanding of the Israeli point of view. I will start by asking the House a question. Why is it that young Israeli men and women, such as my partner, are willing to do three years' military service at a time when young men and women in Britain are working, studying, travelling and having fun? They are not compelled to do so, as they can choose a civilian form of service. It is not possible to say that Israel is some latter-day militaristic Prussia. Anyone who has been to Israel will have to testify to the fact that Israelis are a remarkably individualistic, even hedonistic, bunch of people. It is not even possible to say that somehow they are all brainwashed into thinking that this is something they must do. Israeli politics is one of the most disputatious and argumentative politics one can find, and there are many groups in Israeli politics preaching peace and arguing for a change in the pattern.

So why are they doing it? The reason is simple. There is nothing more important for my partner and people of his age, and for his parents and grandparents, than the security of the state of Israel because it is the first place in 2,000 years that Jews have been able to call home. The key to understanding Israel's actions is this: what will it mean for their perceptions of their long-term security? In this place, such an obsession with security may seem overblown, but we are an island, we have water all around us, we have been here for thousands of years, and I remember that about 70 years ago we seemed to take threats to that security pretty seriously indeed.

Mr Winnick: The hon. Gentleman, although I disagree with him, is making the most interesting speech. I now understand the personal factor involved, but there is no criticism in what I have just said. Is not the best security for Israel—I have already indicated my support for Israel as a state, pre-1967 borders—to find and be willing to reach an accommodation with the Palestinian people, who are not going to go away?

Nick Boles: I am very grateful for that intervention, and I agree with the hon. Gentleman and share his analysis. The vast majority of Israeli people also think that a two-state solution is the long-term source of their security, but they will grasp it only if there are guarantees that that state will not threaten the long-term security of Israel.

It is not unreasonable to ask for that when only five years ago Israel withdrew from Gaza and Gaza immediately fell into the hands of an organisation that is directly sponsored by Iran and wants to wipe Israel from the map. It is not unreasonable when Lebanon's Government have been brought down and the new Prime Minister has been put in place by an organisation whose leader only yesterday said that we need to drive Israel into the sea, and that no treaties, no borders, no agreements will stop that happening. It is not unreasonable for the Israeli people to have that expectation. I wish that they might be willing to make more of a risk, but my wishes, and our wishes, carry no weight.

We must provide guarantees of security, which means, first, that the Palestinian state cannot have a military force, because if it does there will be no agreement, ever, not in our lifetime, our children's or our grandchildren's; secondly, that the neighbours of Israel will have to agree to recognise the existence and legitimacy of the state of Israel; and thirdly, that we in Europe and America will have to provide the kind of security guarantees that we have provided each other over the past 60 years.

That, in my honest judgment, is the only way in which we will bring the Israeli people to a table where we will be asking them to make an enormous compromise for their security. It is a compromise that, I agree, is necessary and vital to the interests of the Palestinian people and the interests of justice, but if we want to achieve a result we have to recognise what it will take, and deal with that.

8.37 pm

Keith Vaz (Leicester East) (Lab): It is a pleasure to follow the hon. Member for Grantham and Stamford (Nick Boles), and may I offer the congratulations of the House on his recent civil partnership? I am disappointed that he did not invite me to the event: after all, we share offices in Norman Shaw North and Leicester is not that far from Grantham—I would have made the journey.

I say to the hon. Member for Bromsgrove (Sajid Javid) that I am glad, as I think is the whole House, that Abdul Ghani decided to stay in Britain rather than go back to Pakistan. The hon. Gentleman made a forceful and important contribution, and throughout the entire year of his being a Member I am sure his constituents have been extraordinarily proud of his contribution.

I always use opportunities such as this to talk about Yemen, and I make no apology to the House for doing so. I was born in that country and chair the all-party group on Yemen. I always start my contributions to such debates by saying that Yemen is in crisis, but it really is in crisis. There is a deep humanitarian crisis affecting Yemen. Some 40% of the country live on

[Keith Vaz]

under £1.25 a day, one third of its people are unemployed and 7 million literally cannot find anything to eat each day. The situation that led to the uprising has caused the displacement of 330,000 people in the north of the country. As a matter of urgency, therefore, we need to continue the work that was started under the previous Government, through the Friends of Yemen procedure, and to give Yemen the support that it needs.

I am delighted to see the Secretary of State for International Development here today. I have known him for 35 years, and he is responsible for giving me my first political speech when he presided over the debating society that we both belonged to; he probably regrets it now. In the work that he has done, he has been an outstanding International Development Secretary. I know that there are many countries and that the budget is limited, but it is very important to focus on Yemen, which is one of the poorest countries on earth. It does not have the political capacity to punch above its weight as other countries have done, and it does not have the focus of the international community. That is why it is important that we should give it as much help as we can.

On the political side, tomorrow there will be a mass demonstration in Sana'a, and the predictions are that even more people will die unless there is restraint on all sides. So far, 170 people have been killed in the uprising. When I spoke in an Adjournment debate on Yemen a few weeks ago, I believed that we were near a solution, and I think that that was the Foreign Secretary's view as well. The Gulf Co-operation Council had negotiated an agreement with President Ali Abdullah Saleh that he would stand down in 30 days. That agreement was also adhered to by the opposition. Everyone agreed that there was a process for the resignation of the President, with all the dignity of a person who has occupied that post for 32 years, and that a new Government would take over. This did not happen. It is vital that we provide not only humanitarian relief but political support. I have urged on the Government and the Prime Minister the need to appoint an envoy who will be able to bring all sides together; it could be an EU envoy or someone from the United Nations. After all, we are proposing to do this in other countries. I believe that Yemen can be saved from civil war if we are able to provide that political support.

Why is it in our interests to support Yemen? Why do we want to keep the country as one? The reason is the power that al-Qaeda has in Yemen. A lot of reference has been made to the death of Osama bin Laden, but the head of al-Qaeda in the Arabian Peninsula, Anwar al-Awlaki, is still in Yemen. Though born in the United States, he is of Yemeni descent. According to the Pentagon, he is more dangerous, as a person, than Osama bin Laden was. It is therefore in our interests to ensure that the country remains stable and united, that humanitarian support is given, and that the security situation in that whole area is not infected by the break-up of this impoverished country.

8.43 pm

Mr Stewart Jackson (Peterborough) (Con): It is a pleasure, as ever, to follow the right hon. Member for Leicester East (Keith Vaz). I am going to talk about Israel and the middle east and, more substantially, about the dangers posed to regional and international security by a nuclear-armed Iran.

I will not reiterate the comments of my right hon. Friend the Member for North East Hampshire (Mr Arbuthnot), but I am wary of the rapprochement between Hamas and Fatah given that the aim of many individuals in those organisations is to move towards unilateral and incremental recognition of Palestinian statehood rather than the alternative—a round-table debate and discussion among all parties, including the United Nations and the European Union, towards a negotiated settlement, which would mean a two-state solution that is viable and sustainable in terms of the creation of a Palestinian state.

It is very important that we support the courageous stand of Palestinian Authority Prime Minister Salam Fayyad in his efforts, because Hamas has consistently repudiated the Quartet principles, including the recognition of Israel, the renunciation of violence, and the acceptance of all previous agreements. Indeed, it has called for the destruction of the Jewish state. Just last month, after the signing of the agreement, the Hamas leader, Khaled Meshaal, said:

> "The only battle of the Palestinians is against Israel."

I see ominous developments in the mixing of the Hamas forces—with their terrorist activists—and the police service of the Palestinian Authority, which is controlled by Fatah. That is the political context in which the Foreign and Commonwealth Office must reiterate the Prime Minister's undertaking to the Community Security Trust that we must continue the dialogue with all parties and that:

> "The alternative to compromise is that moderates will always lose out."

Iran is a state that espouses a jihadist, anti-Semitic, militant theology. It is a leading sponsor of state terrorism across the middle east. Furthermore, it wishes to challenge the United States and undermine the historic undertaking of the Baghdad pact of the 1950s, through which the United States sought to support moderate Arab states. There is no doubt that the Iranian regime not only sees itself as the pre-eminent regional power seeking hegemony in the middle east, but is developing a supra-conventional nuclear missile capacity to consolidate that hegemony and become a rival to the United States in global terms.

Iran is close to weaponised nuclear capability, and to being able to move, via a breakout position, from the conversion of low-enriched uranium to high-enriched uranium at the minimum 90% level. Once the regime has achieved that, weaponisation can be achieved relatively simply. Much of that has been achieved with the help of North Korea, which has provided enrichment technology and, for hard currency, highly sophisticated centrifuges from its large, modern uranium enrichment plant at Yongbyon.

The Obama Administration are committed to this issue and have adopted a policy of sanctions, particularly through UN Security Council resolution 1929 of June 2010, and active diplomacy and engagement. The problem, as ever, is a lack of consensus in the United Nations—the P5 plus Germany—and the European Union. The next step must be the consideration of more draconian and targeted sanctions. I concede that diplomatic engagement will assist reformists in Iran such as Khatami, Rafsanjani and the fledgling green movement, but we cannot rule out the chance that military action may be necessary. Make no mistake, within two years it will be possible for Iran's Sejil 2 multi-stage solid propellant missiles to travel a range of 3,000 km, which would reach most of continental Europe. Iran is well advanced in uranium enrichment, weaponisation and ballistic missile development.

A nuclear Iran would destroy the policy objective of global non-proliferation and semi-permanently destabilise the middle east, with countries such as Turkey, Saudi Arabia and smaller Arab states seeking nuclear parity. That argument is enunciated in a report entitled "Global Trends 2025" by the National Intelligence Council. The prospect of a nuclear-armed Iran presents a clear and present danger to Israel and to regional stability, and it is too great a risk. The European Union, the United Nations and the International Atomic Energy Agency must rise to the challenge of preventing that prospect from coming to fruition.

8.49 pm

Paul Flynn (Newport West) (Lab): As the proud son of a soldier who was grievously injured on a battlefield and later cheated out of his pension by an ungrateful Government, giving him a sense of grievance and injustice that he took to his early grave at the age of 43, I do not need any instructions on the need for a military covenant from the Government. However, I believe that the military covenant should have as its first sentence the obligations of the Government, and it should read that they guarantee never to send our armed forces into conflict for causes that are avoidable or vainglorious. Earlier, I was accused of being a pacifist for suggesting that, but I point out that I have supported with my vote or voice all the conflicts and military interventions in which we have been involved over the past 24 years, except for two. Those were the ones that conflicted with what I hope will be the first line of the covenant: the second Iraq war and our intervention in Helmand province in 2006.

In the case of the Iraq war, Labour Members were bribed, bullied and bamboozled with a three-line Whip into voting for the war. To the great credit of 139 of us, we resisted that. In the case of Helmand, in March 2006 the total number of British soldiers who had died in Afghanistan, after five years there, was seven, only two of whom had died in conflict. It was said that to go into Helmand was to stir up a hornet's nest, and it was compared with the futility of the charge of the Light Brigade. We have now lost not two but 365 of our brave soldiers, and I believe we have achieved very little for that. We are perhaps coming to consider why we went in there.

I wish to mention some points that give reason for optimism. On a point of order last Thursday I mentioned a story in *The Daily Telegraph* that gave us some hope, and I raised it again with the Foreign Secretary this afternoon. It stated that a decision was going to be taken within a matter of days that would bring 450 of our troops home from Afghanistan. As a result of that point of order, I had a stream of messages from wives, grandfathers and other relatives of soldiers out there saying, "For goodness' sake, keep asking this question. Keep putting pressure on." The character of the conflict in Afghanistan at the moment is such that they do not feel that the risk that their loved ones are taking is justified. There is good reason for that.

Will the Government please learn the lesson? We have never asked the Taliban why they are killing our soldiers. It is always easier to go on repeating the old lies than to reveal the new truth. We need to know why they are killing our soldiers—is it because, when they have killed them all, they want to come over to London and Newport to blow up people on our streets? Or is it because we are there as the ferengi, the foreigners, and it is their sacred religious duty to kill our troops in the same way that their fathers did the Russians, and as their great-grandfathers and all the previous generations have done? The great lesson of the recent actions is that the number of deaths that we have suffered has gone down greatly, not because the Taliban are slightly less wicked than they were, but because we are not in the north of Helmand. The sooner we make our exit, the better.

Another serious point is that as the rate of deaths has gone down, an increasing proportion of them have been among the immensely brave people who dismantle improvised explosive devices. The justification for taking the great risk of dismantling them rather than blowing them up, which would of course be perfectly safe, is to capture the members of the Taliban who constructed the IEDs. Details can be found such as fingerprints and so on, so that the Taliban who made them can be captured and put in prison. We know what happened recently—500 prisoners escaped. Those who risked their lives to ensure that those Taliban bomb makers were put in prison will now question whether their sacrifice was necessary. I urge the Government to re-examine their tactic and, instead of risking more lives by dangerously dismantling IEDs to capture Taliban who are detained for a very short time, to consider blowing up the IEDs.

I am hoping that there is a truth in what the Foreign Secretary expressed today, and that President Obama and the Prime Minister make a statement on making a start on the only sensible thing that we can do: bringing our people home. The question by which the Government should be haunted is the one that troubled Senator Kerry in Vietnam in 1971: who will be the last soldier I will order to die for a mistake?

8.55 pm

Christopher Pincher (Tamworth) (Con): It is a great pleasure to follow the hon. Members for Newport West (Paul Flynn) and for Walsall North (Mr Winnick), who is not in the Chamber. I learned tonight that the hon. Member for Walsall North entered the House before I was born, but if the clarity and passion of his speech is anything to go by, he will almost certainly still be here long after I am dead. He spoke about Libya, which I shall speak about, but from a different point of view—I do not share his outlook.

Since the insurgents began their campaign against Gaddafi some three months ago, they have scored a remarkable victory, in as much as they have built around themselves a tremendous international coalition. Something like 17 countries are contributing to the Libya campaign, and many more provide overflight rights, yet that military capability, which has undoubtedly reduced the opportunity for Gaddafi to strike against civilians with his tanks and heavy weaponry and stopped his using air power against them, has not removed him. While he is still there, he presents a terrible threat to civilians, as he has rather chillingly said. Anybody who calls their people "rats" cannot

"live in the hearts of millions"

other than as a feared and loathed object.

[Christopher Pincher]

We have reduced Gaddafi's military capability by something like a third, but that means that two thirds of it remains. His ability to strike at the insurgents is greater than their ability to defend themselves. As long as that position obtains, he will go on fighting. There was a striking piece the other day in *The New York Times* on the hidden workshops of Misrata, which describes the insurgents' position. Men who a few months ago were welders or electricians now run makeshift military workshops, putting armour plating on pick-ups, cannibalising captured machine guns and building do-it-yourself rocket-propelled grenades. They do not have munitions know-how or the tools with which to do the job. They scrape explosives out of shell canisters to reuse, because they do not have supplies. They have nothing other than what they make themselves or that they capture from Gaddafi.

Is it therefore any wonder that the insurgents' battle is desperate, bloody and very slow? That is why I am persuaded by my right hon. and learned Friend the Member for Kensington (Sir Malcolm Rifkind) that we need to move to bring the conflict to a conclusion. If we have a stalemate in Libya, and a failed state, torn in two, with factions fighting one another, we risk a Somalia-type situation. We also risk people in this country becoming tired and bored with a drawn-out campaign. We therefore need to take on board what General Richards, who is a thoughtful man, has said, and acknowledge what the Foreign Secretary has said on intensifying our military, diplomatic and economic campaign to remove Gaddafi from power. A few men in workshops—a few enterprising rebels—are not enough to do the job that needs to be done.

If we cannot, within the bounds of UN Security Council resolution 1973, put boots on the ground—I agree that we should not do that—or give military matériel directly to the insurgents, it seems to me that we can at least release frozen Libyan assets to the national transitional council. We have effectively recognised it; it has its own defence minister; and Baroness Ashton has set up her EU legation in Benghazi. Hundreds of millions of dinars are locked in this country and should be released to the NTC for it to spend as it wishes, whether on utilities in Benghazi to look after its people or, if it wishes, on the military campaign against Gaddafi.

The balance is already tipping in favour of the insurgents, but it is taking a long time and needs to be tipped more quickly. In Misrata, we have a refugee crisis. There are electricity cuts, and oil, food and medical supplies are running out. We have seen people migrating from Libya, causing friction on the country's borders and friction between Italy and France. If we are to raise the siege of these cities, if we are to stem the migration from Libya and if we are to demonstrate to people at home that we can prosecute a compassionate and successful war to a quick conclusion, we need to move to remove Gaddafi, either through allied effort or by giving the Libyans the means to do so themselves. The status quo is not an option.

9.1 pm

Yasmin Qureshi (Bolton South East) (Lab): When the tragedy of 11 September occurred, I was working for the United Nations mission in Kosovo. I was in the region of Mitrovica, which is divided by a bridge. Across the bridge, I could see Serbian Orthodox Christians burning American flags in jubilation at the events unfolding in America. On 2 May, I saw similar signs of jubilation in America after the death of Osama bin Laden. It is important not to confuse the desire for retribution with the desire to defeat an enemy. Because terrorism partakes of both crime and war, it is perfectly natural, and perhaps legitimate, to have both these attitudes towards Osama bin Laden—to think that we had to disable him, and to think that he deserved to die. However, Milosevic, who killed 100,000 Bosnians, was tried at The Hague.

His Grace the Archbishop of Canterbury, Dr Williams, has said:

> "I think the killing of an unarmed man is always going to leave a very uncomfortable feeling, because it doesn't look as if justice is seen to be done in those circumstances".

It is deeply troubling if we are moving to a global assassination policy for our enemies. Surely, the norm must be that terrorists be dealt with as criminals, through legal processes of arrest and trial. Such a trial would have had the benefit of laying out before the world the evil of terrorism. It would have peeled away the mystique of bin Laden and shown al-Qaeda to be banal and ridiculous.

In recent weeks, a blizzard of questions and fingers have been pointed at the legitimacy of Pakistan as an ally. I was disappointed by the hon. Member for Bromsgrove (Sajid Javid), who seemed to suggest that more questions should be asked of Pakistan, although I was pleased that the Foreign Secretary mentioned Pakistan's commitment to the international coalition against terrorism since 9/11. Pakistan has become the victim of an almost daily onslaught of suicide bombings in the very heart of its country. Just yesterday a suicide bomb killed 18 people. The US-led drone attacks continue to take civilian lives, resulting in a breeding ground for al-Qaeda and the Taliban.

Pakistan's efforts since 2002 have cost it 30,000 civilian casualties, 5,000 security personnel casualties, and the devastation of property and infrastructure. Over the past nine years, its economy has borne the loss of more than $35 billion. The war on terror and the rehabilitation of internally displaced people has consumed a huge amount of the Government's financial resources and halted economic growth. Unemployment is high, which is triggering other social problems and putting pressures on successive Governments.

The obligation to focus on security has contributed to a continuing failure to invest in key areas of public provision, such as education and health, and assisted the military and intelligence sectors in retaining power and influence in Pakistan's political system. There may be some rogue elements in Inter-Services Intelligence, but to tarnish the whole of the ISI, the army and the Government of Pakistan by suggesting that they are not trustworthy is an insult to the people of Pakistan, including the civilian population, who suffer on a daily basis from atrocities that those of us sitting in this country cannot even imagine.

Many have mentioned the aid given to Pakistan over the past 12 years, which amounts to about $10 billion. However, the USA has spent $146 billion on this war on terror. In terms of loss—and, indeed, the near-destruction of Pakistan—$10 billion is chickenfeed. It does not even start to compensate Pakistan for the breadth of destruction that it has suffered. Let us remember that until the Soviets invaded Afghanistan—then we had

11 September—Pakistan had no quarrels or squabbles with Afghanistan. It got involved in the war in Afghanistan only because historically it was a US ally. Therefore, it is completely wrong for everyone to start pointing the finger at Pakistan, a country that is suffering the most.

Nick Boles: I am enjoying the hon. Lady's speech so much that I want to give her a bit of injury time. Will she please continue?

Yasmin Qureshi: I thank the hon. Gentleman for that.

I was also a little disappointed that the hon. Member for Bromsgrove talked about Pakistan's supposedly imagined problems with India. At the end of the day, each nation state is interested in its own interests. However, when two countries have gone to war on two occasions, as Pakistan and India have, when India supported the breakaway of East Pakistan, which became Bangladesh, and when every year it releases flood waters from dams, causing flooding in Pakistan, it is naive to say that Pakistan's perceived security problem is an apparition. Rather, it is real. Indeed, Bishop Nazir-Ali, who is not normally pro-Pakistan, touched on Pakistan's security in an article last week.

In all these wars that are taking place across the world, we lost the plot in the graveyard of empires, turning the hunt for the now largely irrelevant inventor of global jihad into a war against tens of thousands of Taliban insurgents who have little interest in al-Qaeda, but much enthusiasm for driving western armies out of their country. My hon. Friend the Member for Newport West (Paul Flynn), who is no longer in the Chamber, referred to the ferengi, and that is exactly what is going on. The fact is that we are interfering in Afghanistan, while Pakistan, as an ally of the west, is having to pay the price for our war on terror.

9.8 pm

John Glen (Salisbury) (Con): I want to take this opportunity to make some observations about the situation in Libya and Syria, and to address the wider issue of British foreign policy in that rapidly changing part of the world. Our foreign policy is perhaps seen as one of intervening when we can, but not always where we should. There is a perception that the moral component of our motivation or justification for intervention does not always seem to apply everywhere with the same degree of seriousness. When it comes to that part of the world, I do not see an appetite in either this House or the country at large to seek out theatres of war. However, I seek to discern some consistency, even if the consistent application of principles will not mean that the same action is taken in every country.

Back on 21 March, I supported the implementation of the no-fly zone, which seemed entirely appropriate, not simply from the perspective of seeking to prevent mass slaughter in Benghazi, but on the understanding that all diplomatic efforts and avenues had been exhausted. Walking away when an evil tyrant was about to murder his own people would have been an abdication of responsibility by the international community. At the same time, however, I listened to the many excellent speeches in the Chamber, and the many warnings, especially from some of those hon. Members who are present this evening, who feared that the solution would not be quick and easy. Sure enough, it has proved not to be.

I am slightly concerned about the way in which the debate has unfolded over the past eight weeks. Nowhere in the UN Security Council resolution does it prescribe a time frame. There was a great expectation that the operation would all be over immediately and that everything would be fine, but that was never my expectation when I voted for the no-fly zone on 21 March. Across the House, however, there seems to be a great need to bring the operation to a close, as though the international community's other weapons—diplomacy, economic sanctions and exerting our influence over what other countries in the region do—will have no effect. I was never tempted to assume that Gaddafi would quickly emigrate to Venezuela, or that his iron grip on his media would somehow dissipate overnight. It is true that he enjoys widespread support in Tripoli today, but there are horrendous things happening in Misrata. This is a moving situation, despite the notion that the world somehow stopped on 21 March.

Jeremy Corbyn: The hon. Gentleman is making some important points. All wars have to end with some kind of political settlement and some kind of deal. Does he think that it might not be the west that brings about such a settlement, and that an effective diplomatic intervention from the African Union, the Arab League, the Turkish Government or someone else would be more likely to stop the bloodshed and bring about some form of peace?

John Glen: Quite possibly; that is my point. Given recent events, I believe that the notion that we can bring the situation in Libya to a neat, precise conclusion by the extension of targets will prove erroneous.

These operations have significant implications for our armed forces. Last week, the Defence Committee, of which I am a member, interviewed the heads of the three services. It was quite clear, when we read between the half-answers and the attempts not to address the issue directly, that all the services are under massive strain. It will be an abdication of responsibility if the Government do not address that point and allocate appropriate resources. I was very concerned to hear that there is to be a review of defence expenditure over the next three months, as we try to squeeze out more resources. Concern was expressed following the strategic defence and security review about putting off decisions on expenditure until future years.

We need to deal with the reality, and a number of scenarios could evolve. We could find ourselves in a perpetual stalemate. Alternatively, we could have a little more humility about the way in which this awful situation could be resolved, and realise that it will not happen very quickly. We must realise that a change in regime achieved by the rising up of internal forces against Gaddafi is hardly likely to happen in just a few weeks or months, given the grip that he has had on his country over so many years. It is necessary for us to maintain the current posture and continue to develop diplomatic pressure and the role of the regional players. Yes, it is messy and uncomfortable, but it is right to hold the line and to continue to strengthen and broaden the base of support. We must continue to show resolve and to provide as much support as possible. It is also clear that going down the route of putting boots on the ground is never going to be acceptable in the current environment.

[John Glen]

We acted on the basis of stopping an evil man murdering his people. We may find the process since then rather uncomfortable, but it is not one from which we can pull away.

Some parallels have been drawn with Syria. There, we have seen numerous efforts taken to impose travel bans, to freeze assets, to provide medical supplies and so forth. There, too, the answer is diplomacy and securing concessions one by one rather than necessarily threatening military action. The reality is that each country in the region is different, which means we cannot have a one-size-fits-all policy; we need the slow, sober, determined, persistent and measured policy that this Government are undertaking. We need to recognise that we do not have the right or the means to solve this problem overnight.

9.16 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I am very pleased indeed to have the opportunity to speak in this important debate. Before going any further, I would like to congratulate my hon. Friend the Member for Bolton South East (Yasmin Qureshi) on what I thought was an important and brave speech. I am going to touch briefly on the Israel-Palestine question, on Afghanistan and then, of course, Libya.

On the Israel-Palestine question, I cannot add much to what many others have said, but let me say this. I have heard Conservative Members say that we do not understand the Israelis' wish for security. I was a Member of this House at the end of the '80s, when an IRA bombing campaign on the mainland was still happening and I remember Mrs Thatcher being blown up in the Grand hotel in Brighton. I also heard the Canary Wharf bomb going off from my kitchen in the east end of London, so do not tell those of us who lived through that era that we do not take security issues seriously.

The proposition was put forward that Israel wants all these triple locks, guarantees and so forth before it will move forward. What triple lock guarantees did John Hume of the Social Democratic and Labour party have before he opened the first tentative negotiations with the IRA back in the '80s? What triple lock guarantees did Nelson Mandela have when he was in prison and first opened overtures to the apartheid regime? The truth is that in the most bloody, difficult and seemingly intractable situations that we have seen in my lifetime, people have had to be prepared to go forward without the triple lock guarantees about which some Members have spoken, but with a will to bring about peace. As long as Israel believes that it has the unconditional support of the United States and Britain, it will continue to shelter behind the notion of triple lock guarantees.

Nick Boles: I accept what the hon. Lady says, but does she accept that there was no question in the Irish situation of the people of this country being driven out of this country by those in the IRA who were fighting us? They wanted us to get out of what they perceived as their country; they were not trying to deny our right to be here. The fundamental situation faced by Israel is that some, though not all, of its neighbours believe that Israel should not exist and that all its people should be driven into the sea. That poses a security risk of a quite different quality.

Ms Abbott: The hon. Gentleman should speak to some of my friends in the Democratic Unionist party about how they perceived their security as part of Britain in the '80s.

Let me move on and deal with Afghanistan. I have been fortunate enough to visit Afghanistan and to meet, talk and stay with our troops there. I was very struck by the bravery of our ordinary soldiers. Not many people realise that the level of mutilations—not just death—is far higher in Afghanistan than anywhere else our armed forces have been sent since the second world war. In talking to ordinary troops—which Ministers and shadow Defence Ministers do not necessarily do—I found that those who had been on two or three tours of duty said that they were regarded as liberators on their first tour, but were now regarded as an occupying force. Members who are familiar with our history will know that no British occupying force has won a war in Afghanistan since the 19th century. [HON. MEMBERS: "We didn't win that one, either."] No, we did not. The idea that there is a military solution to what is going on in Afghanistan has a basis in history, but no basis in fact.

When my party was in government Ministers often presented, as Ministers do now, the notion that we were waiting for the Afghan police and armed forces to be ready to take over, but if we wait for that we will still be there in a hundred years. We must act decisively and stop making the mistake that we made with, for instance, the south Vietnamese: the mistake of propping up a regime that needs not to be propped up, but to face reality.

It seems to me that the best thing we could do for our brave soldiers who have lost their lives and limbs fighting this war is to use the occasion of the elimination of bin Laden—whatever we think of the circumstances—to do what we should have done before, and withdraw from Afghanistan. Let us by all means give that country support with development and nation-building, but let us stand back and withdraw from military intervention that history tells us is doomed.

I voted for the intervention in Libya, but I did so with a heavy heart. I was present for the debate—because I think that one should take part in debates on such important occasions—and I was persuaded that unless we intervened as the Government suggested, the civilians of Benghazi would meet a horrible fate. However, a number of developments in Libya since then have been extremely disappointing. For instance, where is the Arab League? I was in the Chamber when we were promised that we would have its support, and that we would be fighting alongside Arab troops. Where are they? We have sold those people billions of pounds-worth of arms. What has happened to the arms, the aeroplanes and the armaments? Where are they? This has the look and the feel of a straightforward western bombardment of a north African country, and I must tell the House that that is not sustainable politics. Where is the Arab League, and how can it be persuaded to shoulder its responsibility in relation to Libya?

I am also concerned about the sending in of advisers. Where advisers go, can troops be far behind? As one who sat through the entire debate on Libya, I am clear about the fact that there is no will in the House to become involved in a land war in north Africa, and as it happens, I do not believe that there is a will among the

British public—Labour, Conservative and all points between—to become involved in such a war. I sincerely hope that we shall not see a further escalation of the Libyan intervention without returning to the House for a full debate.

Was it Walpole who said, "They are ringing the bells today, but tomorrow they will be wringing their hands"? I believe that unless we adopt a more decisive approach to what is happening in Afghanistan and do not simply allow ourselves to be sucked in, the British public—however much they appreciated the humanitarian impulse that led us into Libya—will be wringing their hands tomorrow.

9.23 pm

Stephen Gilbert (St Austell and Newquay) (LD): It is a pleasure to follow the hon. Member for Hackney North and Stoke Newington (Ms Abbott). I agreed with some of her analysis, although by no means all of it.

As we meet here tonight, civilians in Libya continue to become victims of a brutal regime that is showing no humanity in its efforts to impose its will on the Libyan people. The contrast between the cowardice of Gaddafi and the courage of his people could not be greater. While he continues to hide behind mercenaries and soak himself in delusional rhetoric in his compound, the vast majority of the Libyan people are standing in hope, in the open, and poorly armed, against him. Like all tyrants, he has lost his grip on reality. He is alone, and lost in his own propaganda.

When I look at the faces of the men and women fighting Gaddafi, I see a yearning for freedom and a grasping for dignity, pride and self-determination. All those are the antithesis of what Gaddafi represents. The only person he is fooling with his insane rhetoric is himself. He is hated by his people, he has lost legitimacy, he is shortly to become a wanted war criminal, and it is now a question of when, not if, he must go.

Against that backdrop, I pay tribute to the men and women of our armed forces who continue to execute the tasks set by the Government with the professionalism that we have come to expect from the best armed forces in the world. I remain in awe of their selfless determination and courage. In putting themselves in harm's way to protect innocent people, they are standing up for the very best traditions of our nation, and they should rightly be proud of the work they are doing on behalf of their country.

Unlike the hon. Members for Walsall North (Mr Winnick) and for Islington North (Jeremy Corbyn), I remain convinced of the legitimacy of the steps the international community is taking. We could not have stood by and watched Benghazi entered by Gaddafi's murderous thugs. We could not have watched from the sidelines and merely grimaced at the slaughter that would inevitably have followed.

I fear that we are witnessing Syria begin the slide into the same violence and bloodshed that we have seen so dramatically in Libya. The United Nations estimates that over the last two months about 700 innocent civilians have been killed and hundreds more detained by the Syrian security services. We have seen their cities shelled by tanks, and troops conduct house-to-house searches to arrest and intimidate protesters. In Syria, as in the early days in Libya, people are standing up unarmed, with only an idea to inspire them: the idea of freedom, which we in this country all too often take for granted. The reality is that the only long-term solution for the Syrian regime is one that regains the consent of the Syrian people. Failure to reach out to a political solution will only result in Syria descending into further turmoil and bloodshed. The international community must do all it can to impress that on the Syrian regime.

President Assad is at a crossroads. He can either respond to the demands of his people or he can continue his efforts to repress them, but only one course of action will leave his regime with security and legitimacy. If he chooses repression over reform, I believe he will ultimately be swept from power. I therefore welcome the steps the Government have taken to put pressure on the Syrian regime, but I ask the Secretary of State to say in his winding-up speech whether the discussions with the Syrian ambassador touched on rights of access to that country for the foreign media, and what the Syrian representative told him about the national dialogue proposed by that country's President.

The events of the last few months in north Africa and across the middle east highlight the urgent need to review our arms export regime, as the right hon. Member for Tonbridge and Malling (Sir John Stanley) made clear. People across the middle east and north Africa have displayed true courage in standing up against oppressive regimes that have used the most modern equipment and munitions to try to break their will. It is difficult for any of us in this House to stomach the idea that British-made equipment may have been used against these courageous people.

Of course it is right for the UK to play an active part in the international negotiations that have recently started at the United Nations aimed at securing a global arms trade treaty, but we must not lose sight of the choices that we ourselves can make to tighten our export regime. That is why I welcome both the Foreign Secretary's review of British arms export controls announced last month and the fact that the Government have revoked more than 150 export licences in recent weeks—but we can, and we must, go further. We need to tighten controls on both exports and re-exports, and we need to make sure that we put human rights at the heart of our consideration of which countries we should export to. When will the Foreign Secretary's arms export review be published, and will it be brought before the House for debate?

It should now be crystal clear that the long-term interests of this country will always be best found in standing next to the people who seek freedom, and against the regimes that would simply impose their will. This strategic reality needs to be reflected in all corners of our Government and in all parts of the United Kingdom's global posture.

9.29 pm

Rushanara Ali (Bethnal Green and Bow) (Lab): Today's debate is profoundly important and comes at a critical time. I thank the Secretary of State for providing Government time for it in order to consider the issues facing the people of the middle east, north Africa, Pakistan and Afghanistan, as well as our military, political and humanitarian response to the multiple crises in those crucial parts of the world.

[Rushanara Ali]

Following the earlier debate on the military covenant, it is right that we pay tribute to the brave servicemen and women who are engaged in protecting civilians in Libya under UN resolution 1973, as well as to our troops in Afghanistan. In particular, I wish to join others in paying tribute to Nigel Dean Mead, from 42 Commando Royal Marines, who was killed in Helmand province yesterday. We remember the continued price paid by innocent people whose lives have been taken in terrorist attacks around the world, most recently in Morocco and, last week, in Pakistan. I also wish to reiterate Labour Members' grave concern about the killing of protesters by Israeli soldiers on the Syrian-Israeli border and about the injuries of civilians in the Palestinian territories. We join the Foreign Secretary in reaffirming calls for restraint on both sides.

A common theme that has arisen from events in Tunisia and Egypt, and the current situations in Libya and Syria, has been the way in which citizens have responded to the abuse of power by, and the lack of legitimacy in, their Governments. People have taken to the streets in their millions to bring about badly needed change. Few could have imagined just how much a few short months would change the world, as the self-immolation of one man led to a chain of unstoppable events around the Arab world. Tunisia will hold its first elections to a new Assembly in July, Egypt will go to the polls in September, and we are seeing rapid change in a number of other countries.

However, it is also vital to pay closer attention to the need to tackle global inequality and economic inequality, given the situation in those middle-income countries. Many of the international financial institutions did not foresee what was about to happen in these countries, which did not have significant levels of poverty but did have great inequality. The historical failure of their Governments to deliver political and human rights opportunities, and economic growth, continues to fuel the protests, and this country has a crucial role to play in supporting the people of those countries.

For many, these events have been a cry for freedom, democracy and transparency after decades of repression and abuse of power by those in positions of authority and responsibility; they have been about the need to be treated with dignity and fairness, and the opportunity to have jobs and decent chances in life. The international community must do everything possible to help realise those aspirations and ensure that the brave people of those countries genuinely have the best chance for a better future.

Excellent speeches have been made by many distinguished right hon. and hon. Members on both sides of the House, in which they have highlighted their great insight, expertise, conviction and passion for the subject. My right hon. Friend the Member for Leicester East (Keith Vaz) spoke with great passion and expertise about the need to support Yemen, about the threat from terrorism and about the many challenges facing that country, including the need to tackle poverty. The hon. Member for Peterborough (Mr Jackson) spoke of the Israeli-Palestinian conflict and concerns about Iran's nuclear capabilities. The right hon. Member for Gordon (Malcolm Bruce) spoke of the importance of the EU providing support for the middle east in its pursuit of democracy and human rights. The right hon. Member for Tonbridge and Malling (Sir John Stanley) raised concerns about the UK Government's export licences for arms to the middle east.

The hon. Member for Bromsgrove (Sajid Javid) spoke with great passion about Britain's relationship with Pakistan. My hon. Friend the Member for Bolton South East (Yasmin Qureshi) highlighted the many challenges faced by Pakistan and the loss of thousands of civilian lives in terror attacks, including the one last week. It is vital that we continue to work closely with Pakistan despite the challenges and some of the criticisms. We must recognise, as many have in the House today, the importance of working with Pakistan, maintaining our alliances and ensuring that the terror threat is overcome.

Many Members have spoken with great expertise and passion about the situation in Libya and the middle east and, in particular, their concerns about the UN resolution, which we support, the dangers of scope creep and the parameters within which the resolution is implemented. Clearly, there are great concerns about stalemate, as highlighted by a number of Members, including the right hon. and learned Member for Kensington (Sir Malcolm Rifkind) and the hon. Member for Croydon South (Richard Ottaway).

Let me turn to a recent tragedy involving migrants. The Government rightly supported the International Organisation for Migration, but I am sure that the Secretary of State for International Development will have been deeply concerned about reports last week that a boat full of migrants, including young children, died after their distress calls were not acted on. Only 11 survived. Will the Government clarify whether British forces intercepted any such distress messages, and say that they will co-operate with any international investigation?

As has been touched on by many hon. Members, including the hon. Member for Croydon South and my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman), in the light of the recent comments made by the Chief of the Defence Staff about upping the ante, may we also have an assurance that the House will be consulted before any significant change is made to targeting policy in Libya? Given the concerns expressed by Baroness Amos, will the Secretary of State assure us that a thorough assessment will be made of the humanitarian impact if military action is stepped up? In particular, if power, water and fuel cuts are made, as reported in some of the press, there are grave concerns about a humanitarian catastrophe. That contradicts the very reason why we are there: our military action is designed to protect civilians. There are also concerns about access for medical personnel, and we would appreciate an update on whether we are providing additional support to get medical personnel into Libya.

At a meeting today with Michelle Bachelet, the head of UN Women, the shadow Secretary of State for International Development and I discussed the concerns about sexual violence faced by women. May we have an assurance from the Secretary of State that the British Government will ensure that every effort is made to provide security and safety for women in conflict, not just in Libya but in other parts of the world? As was pointed out by my right hon. Friend the Member for Cynon Valley (Ann Clwyd), drawing on her experiences in Iraq, human rights, particularly those of women, are crucial and are often left out of major discussions and political negotiations on matters of conflict.

Many of my hon. Friends and other hon. Members raised concerns about what is happening in Syria. We, like the Government, denounce the appalling violence that the Government of Syria are using against their own people. We recognise the complexity and difficulty of the situation and we call on the Government to do everything possible to ensure that every pressure is put on the Government of Syria to bring an end to the violence against their people, who are out protesting. Will the Secretary of State for International Development, in his summing up, update the House on his assessment of the situation on Syria's borders, and tell us whether large numbers of civilians are starting to leave that country?

On the situation in the middle east, many right hon. and hon. Members spoke passionately about the situation in Israel and Palestine and the need for a lasting peaceful settlement, with many highlighting the deaths of Palestinians over the weekend and the security concerns of Israel. We heard speeches from both sides of the argument: my hon. Friend the Member for Islington North (Jeremy Corbyn) spoke with great expertise about the plight of the people of Palestine, and others spoke of concerns about the security issues facing the Israeli people. It is clear that we desperately need a lasting settlement in the middle east, and we urge the Government to do everything possible to keep the pressure on the US and on the Israeli and Palestinian Governments to resume negotiations as soon as possible.

I now want to address issues concerning Pakistan and Afghanistan, particularly the political settlement in Afghanistan and the great concern about the exclusion of women from those negotiations. That concern has been raised a number of times in our discussions with politicians in Afghanistan, and we very much hope that the UK Government will do everything possible to make sure that women have a strong voice in the peace process, including in discussions about the role of the Taliban. There are particular fears about the violation of women's human rights in Afghanistan, and we must do everything possible to ensure that those rights are not neglected—not just in Afghanistan but in Libya, Egypt and the many other countries in the middle east that currently face such challenges.

In conclusion, I reiterate how vital it is for the House to debate this important issue and I thank the Foreign Secretary for the opportunity to do so. I hope that in his summing up the Secretary of State for International Development will shed light on the many issues that have been raised by hon. Members on both sides of the House, and that he will address some of the questions that have not yet been answered, particularly about the widening scope of the UN resolution and about the humanitarian situation in Libya and other countries. I also hope that he will ensure that Britain provides the support needed not only to bring an end to the violence in countries such as Libya, but to ensure that the aspirations and hopes of the people who have been out on the streets demonstrating over recent months are realised.

9.42 pm

The Secretary of State for International Development (Mr Andrew Mitchell): This has been an important, timely and wide-ranging debate—a huge mouthful of a debate with a number of very fine speeches, not least from the hon. Member for Bethnal Green and Bow (Rushanara Ali), who speaks for the Opposition. I will address the issue of Libya at the end of my remarks and I will write to hon. Members if I do not cover the issues that they raised.

Let me start with a view of the discussion on the middle east. The transition sweeping the middle east is an historic opportunity for the region, as many hon. Members have pointed out. The Government are working to ensure that the international community rises to the challenge in its support for countries that embark on change. It is in our interests to ensure that those transitions succeed, but significant challenges must be addressed before lasting stability can be achieved. In particular, there must be the political and economic reforms that will support sustainable growth and facilitate the transition to a freer, fairer and more inclusive society. Britain is pushing the international institutions to play a leading role in galvanising support for that process, including by meeting the significant financial needs. As the Chairman of the Select Committee on International Development, the right hon. Member for Gordon (Malcolm Bruce), said, the role of the European Union is critical. We are pressing for the restructuring of European neighbourhood funding for the region to ensure that it backs strong commitments to political and economic reform and to make it easier for countries in the region to trade with Europe. We also plan to fund a "know-how" facility to provide immediate access to expertise on economic reform. The right hon. Member for Warley (Mr Spellar) raised that issue. The facility will be closely linked to the efforts and expertise of the international financial institutions.

As my right hon. Friend the Foreign Secretary made clear, the European Union has a huge and critical role to play. The right hon. Member for Warley mentioned my right hon. Friend's announcement of the expansion of the Foreign Office footprint, but said that it was not expanding in the middle east. I point out to the right hon. Gentleman that we are already represented in all the countries that we are discussing today, and more widely. The mission to Benghazi is an example of the expansion of the Foreign Office in a timely and sensible way.

My hon. Friend the Member for North Thanet (Mr Gale) spoke with his usual expertise about Tunisia. He spoke wisely about elections and in particular about the importance of opening up markets. The difficult but important subject of the international arms trade was raised by the hon. Member for Walsall North (Mr Winnick) and by my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley). I emphasise that there are high British standards for this trade, as my hon. Friend the Member for Cheltenham (Martin Horwood) pointed out in an excellent intervention. In the end the answer is for the international community to accept the need for an international arms trade treaty.

On the occupied Palestinian territories, the wave of democratic movements that we are witnessing represents a unique opportunity to take forward the middle east peace process. The violence over the weekend at Israel's borders underlines the urgency of making progress. With British support, the Palestinian Authority has developed its institutions to the point where the International Monetary Fund, the UN and the World Bank have recognised them as technically ready for

[Mr Andrew Mitchell]

statehood. To achieve a two-state solution it is important that this work continues. The recent announcement of a reconciliation between Hamas and Fatah is a step in the right direction if it leads to a Government who reject violence and pursue a negotiated peace—a point set out eloquently by my right hon. Friend the Member for North East Hampshire (Mr Arbuthnot).

We heard disparate but firmly held views across the Chamber this afternoon. The right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) was characteristically forthright, and I thank him for his kind comments about my Department. We heard from my hon. Friend the Member for Grantham and Stamford (Nick Boles), on whose civil partnership the whole House will wish to congratulate him, from the hon. Member for Islington North (Jeremy Corbyn), who entered the House on the same day as I did and whose views have not changed one jot in the past 24 years, from my hon. Friend the Member for Peterborough (Mr Jackson) in a fine speech, and from the hon. Member for Hackney North and Stoke Newington (Ms Abbott), who touched on Israel in a wide-ranging speech. Everyone was united in the absolute requirement to make progress and to take advantage of the changed circumstances, which were eloquently described.

Jeremy Corbyn *rose—*

Mr Mitchell: If the hon. Gentleman will forgive me for a moment, I turn now to Yemen. The right hon. Member for Leicester East (Keith Vaz) warned of the continuing crisis. I will consider carefully some of his wider comments. With reference to Yemen, I am concerned that alongside the current political impasse, we are seeing an escalating economic crisis. In particular we are seeing increasing reports of fuel shortages and rises in food prices. Any further deterioration in the economy could prompt a much broader humanitarian crisis, not least because without fuel, much of Yemen cannot be provided with water.

The British Government are working with aid agencies to ensure that they can respond to humanitarian needs in Yemen, and I can announce today that we will be committing additional support to UNICEF and the Office for the Co-ordination of Humanitarian Affairs under the United Nations humanitarian response plan for Yemen. Through this support we will prevent 11,000 children under five from dying of malnutrition, vaccinate 54,000 children against measles, saving lives and preventing blindness, deafness and brain damage in over 2,000 children, and ensure that agencies have rapid access to funds if Yemen tips into a humanitarian crisis.

Keith Vaz: I am most grateful to the Secretary of State for that announcement and thank him very much for it. What he has said to the House tonight will save the lives of many Yemeni people, including children.

Mr Mitchell: I thank the right hon. Gentleman for his intervention.

I have even greater concerns about the situation in Syria. The current ongoing human rights abuses and lack of access for humanitarian organisations is particularly worrying. If organisations are to compile an accurate picture of need, sustained unhindered humanitarian access is essential. I call on the Syrian Government to allow United Nations humanitarian organisations unfettered access to undertake assessments of the situation across Syria without delay. As the Foreign Secretary made clear, the EU will insist that the violence must stop or additional measures will be taken, and I note that there was strong support across the House for that stance.

My hon. Friend the Member for St Austell and Newquay (Stephen Gilbert) mentioned the importance of international press and humanitarian access in Syria, but I can offer nothing for his or anyone else's comfort on that point tonight. Finally, with regard to the sensible comments made by the hon. Member for Bethnal Green and Bow, we are watching the humanitarian situation on the borders with great care. I discussed that matter a few days ago with Jakob Kellenberger, the head of the International Committee of the Red Cross.

Pakistan, which has been mentioned a great deal in the debate, remains a top priority for the Government. It can meet its enormous potential only if it works to stabilise its economy in the short term and to educate and develop opportunities for its rapidly expanding population in the longer term. A stable and prosperous Pakistan that can meet the needs of its people will benefit regional and global stability and security.

Britain will therefore support Pakistan in achieving this end. As the Prime Minister announced last month, our aim is to help Pakistan to get 4 million children into school, out of a population of 17 million who do not go to school. Pakistan could become Britain's largest country development programme, but only if we see commitment and progress on reform from its Government, including a fairer approach to taxing its elite.

The people of Pakistan have suffered grievously from terrorism. As my right hon. Friend the Foreign Secretary made clear, many thousands of civilians have been killed and many more maimed or injured. The right hon. Member for Warley made the same point. Osama bin Laden was no friend to the people of Pakistan; all he brought was a nihilistic message of death and destruction. His death, however, presents an opportunity for a brighter future in Pakistan and the region. Pakistan can make greater strides in its fight against extremism and the way is now clear for the Taliban to make a decisive break from al-Qaeda and join the Afghan political process. The choice is theirs. Peace and security can be improved for Afghan and Pakistan civilians on both sides of their border.

To grasp this opportunity, Pakistan needs to make a clean break with the past. There are serious questions to be answered on bin Laden's support network in Pakistan, and we welcome Prime Minister Gilani's announcement of an investigation into the matter. Nevertheless, it is right that we remain steadfast in our support for Pakistan as its democratically elected Government continue their fight against terrorism.

Pakistan matters to us. In an increasingly interconnected world, the UK cannot simply look on from the sidelines. More than 1 million people of Pakistani origin live in this country. We have a long, close and historic relationship with Pakistan. What happens there directly affects us. There is no serious alternative to our continued engagement with Pakistan. Neither the region, nor we, would be safer by leaving a nuclear power that is in danger of extremism and instability to its fate, a point my hon. Friend the Member for Bromsgrove (Sajid Javid) made in an interesting and thoughtful speech.

Our engagement with Pakistan must therefore be both long term and strategic. Increasing access to high-quality education and developing greater economic opportunities will improve the lives of the Pakistani people and help strengthen resilience to terrorism. A stable and prosperous Pakistan that can meet the needs of its people will not only benefit regional stability and security, but directly benefit our own security.

On Afghanistan, the Chair of the International Development Committee noted that we should not concentrate only on military aspects, important though they are, and I join the whole House in paying tribute to Marine Nigel Mead, who recently lost his life. Although the next four years will be critical, 2015 will not be the end of the story. This is why Britain has made a long-term commitment to Afghanistan. It is unrealistic to expect the Afghan Government to become perfect in such a relatively short time, but they must be strong enough to secure the support of their people and defend themselves. To achieve these objectives, the Department for International Development is focusing on three development aims: supporting stability in insecure areas, stimulating growth and building the capability of the Afghan Government to deliver basic services.

I was able to see for myself the very real impact that aid is having on stability when I recently visited Helmand. British assistance has helped to train more than 2,000 policemen and women, built 12 checkpoints, with 16 more in construction, and laid more than 80 km of roads, giving local farmers the access to markets that they badly need.

At the same time, we are helping people to develop the skills that they need to improve their lives. We are developing plans to provide vocational training for 45,000 people, and that will include funding Turquoise Mountain to equip almost 200 men and women with traditional skills and crafts.

Although there is evidence of progress, the scale of Afghanistan's challenge remains considerable, as the recent disgraceful events relating to the Kabul Bank have illustrated. We are working closely with the International Monetary Fund and the Government of Afghanistan to address the very serious issues that have arisen. They are undoubtedly a setback, but I can reassure the House that we have wasted no time in taking steps to protect British taxpayers' money.

On the wider economic front, Afghanistan is making good progress. With British support, it has achieved 20% growth in revenue each year since 2002, and economic growth averaged 9% between 2002 and 2010.

The mining sector will be absolutely critical to future growth. I met Minister Shahrani in March and was encouraged to hear about the reforms that he is making—reforms that Britain is supporting. He also told me of his success in letting a number of mining concessions, and the details of the 108 contracts on the departmental website are also welcome evidence of its commitment to transparency and accountability.

Decades of conflict have inevitably left Afghanistan's civil service ill equipped to do its job. During my visit, I announced funding for the Government-led civilian technical assistance programme, which will provide international and regional expertise to support local and national Government as we train the next generation of Afghan civil servants.

On Libya, I pay tribute to the thoughtful and important speeches by my hon. Friends the Members for Tamworth (Christopher Pincher) and for Salisbury (John Glen), and to the interesting contribution from the hon. Member for Newport West (Paul Flynn). I wish to address directly one of the points that the right hon. Member for Warley made in his opening remarks.

Britain made two important decisions on humanitarian issues early on in the conflict. First, we gave very strong support to the weight of migrant workers moving across the borders into Tunisia and Egypt, and as a result of that support from Britain and others almost 800,000 migrant workers have crossed those borders and tonight fewer than 10,000 are caught on them. That help has prevented a logistical crisis from turning into a humanitarian emergency.

Our second key decision was to announce that we would finance the rescue of 5,000 poor migrant workers who have been caught out on the portside in Misrata and subject to shelling and other attacks in recent weeks. Britain has been able to lift some 4,000 of them out of Misrata, and the final boat to remove the last 1,000 should go in any day now. The House will be aware that Misrata is no longer in Gaddafi's hands but has been completely taken over by the interim transitional national council.

In addition to that, we are also working closely with the International Committee of the Red Cross and the International Medical Corps to supply medicines, 30 tonnes of which were recently delivered by boat to Misrata, and to support 100,000 internally displaced persons as well as 3,000 walking wounded.

We will shortly deploy a stabilisation response team, including some 10 stabilisation experts and 20 support and protection officials, to join together with the United States, Italy and the European Union. That team will work on infrastructure demands, basic services, justice, security and a political plan, all of which will be necessary following the ceasing of the conflict and as part of an early recovery.

We will of course work closely with the United Nations. When I saw Michelle Bachelet this morning, I had a chance to discuss with her the very matter that the hon. Member for Bethnal Green and Bow raised. All of us believe that the plan that is worked up must be run by the United Nations, owned by the Libyans and supported by the region, the European Union and the international financial institutions.

All of us in the Chamber can draw inspiration from the way in which democracy is beginning to flower throughout the middle east. The Arab spring marks a truly historic moment not only for the middle east itself, but for us here in the United Kingdom. Our own peace and prosperity depend on the stability of the region and on the rights and freedoms that it espouses. Yes, there are challenges, and we will rise to them. The international community—

10 pm

Motion lapsed (Standing Order No. 9(3)).

Business without Debate

SITTINGS OF THE HOUSE (24 MAY)

Ordered,

That, on Tuesday 24 May, the House shall meet at 11.30 am and references to specific times in the Standing Orders of this House shall apply as if that day were a Wednesday.—*(Miss Chloe Smith.)*

JUSTICE

Ordered,

That Mrs Siân C. James be discharged from the Justice Committee and Jeremy Corbyn be added.—*(Geoffrey Clifton-Brown, on behalf of the Committee of Selection.)*

Bob Russell (Colchester) (LD): On a point of order, Mr Speaker. I inquire whether a Minister from the Department for Environment, Food and Rural Affairs has any intention of coming to the House to explain and answer questions on the written statement that was issued on Friday about performing wild animals in circuses. Following a consultation started by the previous Government, there had been an expectation that the coalition Government would bring in a ban on exotic animals in circuses. There is now a written statement saying that the Government are not going to do that. I hope you will agree, Mr Speaker, that a Minister should come to the House and explain why that is the case.

Mr Speaker: I have received no indication that a Minister intends to come to the House to make a statement. I am aware of the close interest in the subject that the hon. Gentleman has long expressed. In view of his 14 years' experience in the House, he will be well aware of ways in which he can continue to pursue this matter, and I trust that he will.

Farming (Droughts)

Motion made, and Question proposed, That this House do now adjourn.—*(Miss Chloe Smith.)*

10.1 pm

Dr Thérèse Coffey (Suffolk Coastal) (Con): Thank you, Mr Speaker, for selecting this debate. I also thank the many hon. Members who have said that they will be present, one or two of whom may intervene during the debate.

This spring has been very dry; March was the driest in 50 years. Suffolk has suffered having had just 13% of its average rainfall across the entire county. Until this weekend, no rain had fallen in my constituency since February; that indicates the general dryness of what we have been suffering. My constituency has a mixture of clay fields, which have been able to absorb some water over the winter, and, predominantly, sand fields, on which a significant amount of agriculture relies.

I recognise that the consumer will probably do okay out of all this, because there is no prospect of a hosepipe ban in my part of England, and I understand that that is equally unlikely in other parts of the country. I also recognise that some farmers welcome these temperatures and are not worried about the lack of rain, because it is producing bumper crops of fruits and similar produce.

Stephen Phillips (Sleaford and North Hykeham) (Con): If this drought continues, it will affect not only those in rural constituencies but the pocket of every constituent of every Member of this House in six months to a year's time. Does my hon. Friend agree that it is therefore extraordinary that there is no Opposition Member, shadow Minister or shadow Whip in the House—in fact, nobody on the Opposition Benches at all?

Dr Coffey: I share my hon. and learned Friend's great concern. More than 10 of us are in the House, which is unusual for an Adjournment debate. Hon. Friends present represent rural constituencies and urban constituencies. Given that some of our colleagues from across the way claim to represent rural areas, their farmers and constituents will be disappointed.

My hon. and learned Friend is absolutely right to say that this situation will come to impact on every single person in this country. One of the challenges that our farmers face is that irrigation is needed to meet the quality standards that our supermarkets demand for what they will sell on their shelves. This is also about the price that we are prepared to pay for our food. There is an impact not just on the price of a potato or an onion, but on the feed for our livestock because of a lack of forage and hay, which will have repercussions next winter. We will all pay a heavy price for that.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): My hon. Friend might be surprised to hear a Member from west Wales complaining about the lack of rain, but does she agree that her point about feed price will have a significant downstream effect on dairy producers, who are beginning to realise that their industry will be affected in six to eight months' time?

Dr Coffey: My hon. Friend and my hon. and learned Friend are right to recognise that this issue will impact on everyone. If our countrymen are happy to see greater imports, perhaps we will be protected from the price surges, but I believe that given the choice most people in this country would prefer to buy British, so we must do something as a consequence.

As I said, this issue does not affect all farmers or all counties across the country, but it does impact on the bread basket of our fair land. In my constituency, spraying has started early. Irrigation has long been part of the agriculture of Suffolk Coastal, which has a similar climate to north Africa. We have imported technologies from Morocco, Israel and similar places in recognition of the fact that we have one of the driest areas, although I recognise that one of my colleagues believes that his area is drier. This issue is impacting not just on agriculture, but on wildlife. Landguard nature reserve near Felixstowe is facing similar troubles and the lack of water is having an impact on biodiversity.

I will come on to the realities affecting farmers in my part of the world. The people who abstract came together in 1997 to form the East Suffolk Water Abstractors Group. They work with the Environment Agency to abstract correctly and appropriately to balance the needs of different water users. Most people have a quota for the year. Some people have taken a gamble by starting to spray early compared with previous seasons. They are concerned that they might be restricted later in the season. Thus far, the Environment Agency has not shown the flexibility that it did in 2009, when it allowed people to abstract later. I recognise that the Environment Agency has been proactive on this front and is working with farmers and other people to manage the situation. I pay tribute to it, because it is difficult to strike the right balance. However, there is no question but that people in my constituency are worried about the potential lack of water for their crops.

Some people abstract from ground water. Thus far, the aquifers are coping, but there is genuine concern about what will be available later in the summer and in the early autumn if there is no further rainfall. The situation is more worrying for people who abstract from the rivers. This matter has been referred to by other Members who are worried about the impact on biodiversity. I believe that we should be more worried about the impact on food and agriculture. Frankly, other things can be cosmetic and temporary, whereas if farming is wiped out in certain areas of our country, it will greatly disadvantage food security.

What is the risk to rivers? In my constituency, the Blyth is running very slowly. Other parties, such as the internal drainage boards and the water companies, sometimes help by pumping water out to increase the flow. However, some of the farmers in my constituency are facing the reality that, by the end of next month, they may no longer be able to abstract at all. That is particularly worrying. Will the Minister say what co-ordinated action is being taken by the Environment Agency, internal drainage boards, water companies and farmers to understand how we can ensure that abstraction can continue?

I recognise that back in 2006, the last time we had a particularly dry summer, there was some voluntary activity that worked very well. People ended up abstracting every other day, and they managed to cope through that summer. I am keen to ensure that there is similar preparation in future.

Geoffrey Clifton-Brown (The Cotswolds) (Con): I inform the House of my entry in the Register of Members' Financial Interests as a practising farmer.

Does my hon. Friend agree that the world is a much more precarious place with regard to food than it has been for many years? Our world reserves are much lower than they have been, and countries such as China are importing much more maize and wheat than they ever used to. A shortage of production in this country for this harvest is therefore likely to have a much greater effect on household bills than it has in the past. Will she join me in urging the Government to adopt every flexible measure that they can, particularly in relation to water?

Dr Coffey: I thank my hon. Friend for that correct point. In my view, water is the new oil, and we need to ensure that we are careful with it where we can be. We have already seen cases of commodity prices spiking thanks to demand from the far east, particularly China, and we have felt the consequences. I agree that we need to be able to feed ourselves as best we can and not be subject to unnecessary spikes.

The rural development programme has given some priority to the management of resources such as water. In my constituency, the East of England Development Agency has undertaken some relevant projects. I do not have the details, but I am led to believe ~~that 100,000~~ cubic metres of new storage facility will be made available in the summer. I would like the Minister to give us an understanding of the influence that he could have in helping the future programme of the Department for Environment, Food and Rural Affairs, and the existing programmes that are under the auspices of development agencies, to address the real need that exists. I understand that licences need to be made more flexible so that more water can be harvested in the winter, and that the Flood and Water Management Act 2010 changed the parameters so that those harvesting 10,000 cubic metres took on a significantly greater regulatory burden. What can we do to remove that burden and encourage co-operative reservoirs?

I will put in a bid for my area. A tiny part of my constituency managed to get in on the Leader programme, and I know that Suffolk is one of the pilot counties for the "Total Environment" scheme. I hope that we will be able to move forward after 2013 and allow Suffolk to form more co-operatives, so that funding can be diverted towards water storage. That would be good for farmers, for consumers and for the environment, and I am sure the Minister will put his mind to it.

I know that the farming community has great confidence in our Minister. He is a Suffolk man who was born in my constituency, and he was a farmer. *[Interruption.]* He still is a farmer—I apologise. I was not fully cognisant of that. The industry is looking for flexibility for the Environment Agency and for local farmers and stakeholders, and on that point I am more than confident in handing over to him.

10.14 pm

The Minister of State, Department for Environment, Food and Rural Affairs (Mr James Paice): I start by congratulating my hon. Friend the Member for Suffolk

[Mr James Paice]

Coastal (Dr Coffey) on her initiative in calling for the debate and persuading you, Mr Speaker, to grant her this opportunity. It allows us to focus on an issue that is becoming of increasing importance every day not only to farmers but, as my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) has pointed out, to the rest of the general public.

As my hon. Friend the Member for Suffolk Coastal has rightly said, she represents the area where I was born and grew up, so I have a particular affinity for her constituents and understand the problems that they face.

In the title of the debate on the Order Paper, my hon. Friend uses the words "potential drought". I asked the Environment Agency earlier today what the definition of a drought is, and I was told that there are a number of definitions, none of which yet fit. Nevertheless, most people in the countryside and most farmers would argue that we are in a difficult situation, which has been described to me as "an intense dry spell". My hon. Friend spoke of the rainfall in Suffolk, but nationally, we have received only 61% of normal rainfall over the past three months, and in April we received only 24% of that average.

Soil moisture is at a level more usual at the start of June. Despite that, reservoirs are mostly at near-normal levels, but as my hon. Friend has rightly said, rivers are experiencing exceptionally low flows, which I shall come back to. Those low river levels are beginning to impact on farmers who rely on water abstraction to irrigate their crops, but they are also beginning to cause environmental damage and to have an impact on canals and waterways, as my hon. Friend has said.

So far, the dry spell has meant mixed fortunes for farmers. As my hon. Friend is probably aware, this has been a good season in parts of the country where they grow a lot of fruit. The weather has improved pollination rates, and we are getting English strawberries earlier than ever. It is not all bad news, but as she has said, and as I know from my constituency, crops on light and medium land are badly affected.

At Question Time last week, the Secretary of State for Environment, Food and Rural Affairs told the House that she would this week convene a water meeting with water companies and with farming and environment groups to ensure that we are properly prepared for prolonged dry conditions. That meeting took place today, and I am happy that I coincidentally have this opportunity to inform my hon. Friend and the House of some of the outcomes.

My hon. Friend has referred to 1976. The situation is very bad in our part of England—the east of England—but it is not yet a repetition of 1976, which has gone down in the annals of history as probably the worst ever event for farmers. I add that in the past three years, EEDA, to which my hon. Friend has referred, has assisted in the construction of some 26 farm reservoirs, of which there were very few back in 1976. At today's meeting, we were told by farmers' representatives that the latest estimate was for a 12% reduction in cereal yields, although that hides a massive range—some estimates suggest that some farmers will experience a 50% reduction.

The impact on the horticulture sector, in both fruit and vegetables, is much more variable. As I have said, top fruit and soft fruit have generally benefited, whereas vegetable production has needed irrigation much earlier in the season than usual, as my hon. Friend has rightly said. That means that growers who have a limited amount of water to use, whether from a reservoir or abstraction rights, must think about rationing their usage.

The picture on livestock farms is one of concern—mainly about costs, particularly following a prolonged winter—but it is not yet one of panic, although I stress that we are only in the middle of May. In the dairy sector, the National Farmers Union advice is that the dry weather has brought forward the grass silage harvest, and boosted grass-sugar and energy levels, which has benefited those in good grass-growing regions.

Further east, back in our part of the world, and in the drier parts of the country, the dry spring will mean that there is less grass to cut or to graze cows on this spring. For all areas, re-growth will be stunted if there is a prolonged dry period. At a time when concentrate feed is very expensive, as my hon. Friend has said, reduced forage crop yields could mean substantially increased costs to farmers throughout the rest of this year. It is also worth mentioning that a poor cereal harvest—cereal farmers are experiencing very short straw—will mean a shortage of straw, much of which is exported for livestock from the east to the west of the country.

As my hon. Friend has said, it is clear that the main problem is for farmers who do not have reservoirs, who do not abstract from groundwater and who abstract from our rivers. Farmers have to compete for those abstraction rights with water companies, which abstract for human consumption, and with other industries. Overall, therefore, there are diminishing supplies. At this morning's meeting, we felt this was an issue of great importance, and I can tell the House that we will be arranging a further meeting shortly specifically to consider the competing priorities for abstraction.

I emphasise that all Ministers in the Department recognise that, as my hon. Friend has said, both yield and quality of produce are affected by water supply. We do not wish to see farmers restricted unnecessarily, but obviously none of us can guarantee that those restrictions will not be required. I was not aware that, as she has suggested, farmers already believe that they will be restricted by the end of this month. I will consider that point tomorrow. However, the Environment Agency assured us today that it is trying to work with farmers to minimise the consequences. The point was raised—this is very relevant in today's world—about allowing farmers with reservoirs to top them up during any summer surges. As we have seen over the past few years, we get horrendous summer storms. In a draught, there can suddenly be torrential storms, and it seems sensible that on those occasions, when there is a surge in the river, they could be used to top up reservoirs. That will be looked at.

Irrigation is not the only problem, of course. Farmers, particularly in my hon. Friend's area—I know it very well—which has large areas of light-land forestry and heath land, are concerned about the potential impact of fire during this dry period. We will continue to work closely with those on the ground to warn the public, wherever possible, of the risks of fire in those circumstances. As she has mentioned, however, there are also the problems facing habitats in wet areas resulting from water drying up.

Taking a longer perspective, last week the Secretary of State published a Command Paper setting out the strong economic, social and environmental case for ensuring that our infrastructure is resilient enough to cope with the effects of climate change. Who can tell whether today's circumstances are the result of climate change? None of us can. None the less, the document pays particular regard to water infrastructure, which will need to cope, we believe, with hotter and drier summers, more extreme weather events and changing precipitation patterns in the years to come.

As my hon. Friend has said, water may well be today's oil—or tomorrow's oil at any rate—so to help realise the Government's vision of a well-adapted infrastructure network that can continue to support our economy, our infrastructure operators have been instructed to prepare climate risk assessments under the Climate Change Act 2008. My noble Friend Lord Henley will publish those assessments from water companies this Friday.

It is clear from what my hon. Friend and I have said that rights of water abstraction are a major issue for farmers. Work is going ahead, in consultation with farmers and a wide range of stakeholders, on the water White Paper, which we have already announced and hope to publish this autumn. We are considering whether to reform the water abstraction regime to facilitate investment, not least in reservoirs, and to respond to increased variability and the reduced availability of water owing to climate change. Of key interest to farmers will be the potential in such reform to increase the regulatory certainty in the abstraction regime in order to help farmers invest in storage.

My hon. Friend has asked me about the Flood and Water Management Act 2010 and the regulations on reservoirs of more than 10,000 cubic metres. She is right that the Act allows the extension of the Reservoirs Act 1975 to those reservoirs in the 10,000 cubic metres to 25,000 cubic metres capacity range. Reservoirs that pose negligible risks to public safety will not be regulated. Many farm irrigation reservoirs are remote from built-up areas and are of low-embankment height, and that includes reservoirs currently regulated under the 1975 Act. I hope that goes some way to allaying her concerns.

While I am talking about reservoirs, perhaps I should respond to my hon. Friend's point about the rural development programme for England, through which, as she has rightly said, our development agency has assisted the 26 reservoirs to which I have referred. Even though regional development agencies will cease to exist—many are being phased out now—I assure her that the rural development programme for England, which we are bringing back in house at the Department for Environment, Food and Rural Affairs, will continue. I am not going to make light of the point that finances are obviously tight, and there have been some—I hope relatively small—reductions in the amount of money available. However, the overall programme and the assistance under it will remain in place for the rest of the programme.

Of key interest to farmers will be regulatory certainty. We are working closely with our farmers to develop that reform. In our approach to the White Paper, we are also considering a package of shorter-term measures to facilitate trading in abstraction licences, which should assist farmers managing their water use efficiently. It may surprise my hon. Friend to know—indeed, it surprised me—that there are farmers with abstraction licences who do not use them. Indeed, I discovered that there was one close to my home only over the weekend—the farmer is now thinking about using it. That is the situation, so the ability to trade licences would be a step forward.

We are also funding research into a wide range of issues, including investigating ways to improve water use. My hon. Friend referred several times to the use of spray irrigation, which is by far the commonest form of irrigation, although most people would accept that it probably wastes the most water. It is worth pointing out that those who use trickle irrigation are not subject to abstraction licences, so the more that we can do to improve water usage for irrigation—with more effective and perhaps novel strategies—the better. We are also investing in research that aims to anticipate the effects of climate change, so that we can be more accurate in helping people find the best ways to adapt. There is obviously also an issue when it comes to developing new and sustainable ways of providing livestock with sources of potable water, including novel methods for harvesting, storing and delivering water from rainfall, as well as from traditional sources such as rivers and streams.

Finally, if I may say so, I am really pleased that my hon. Friend proposed this debate. Indeed, it is also novel to see so many hon. Friends present, which shows the level of interest in this issue, which, as I said at the beginning of my speech, is a common subject of discussion among farmers, as I expect that you find in your constituency too, Mr Speaker. The weather has always been a subject of conversation, but this year more than ever, because farmers are understandably concerned. We do not know what the next few weeks hold. The Met Office forecast for the rest of May is not very encouraging for those who want rainfall, but beyond that none of us is prepared to speculate, least of all me. However, I hope that I have reassured my hon. Friend the Member for Suffolk Coastal that we take the issue seriously. Today's meeting was really a stock-taking exercise to establish what the situation is, so that we can be in a better position to react, within the realms of feasibility for any Government. I assure her that I am not about to become the Minister for drought and that I will not do a rain dance or anything like that. However, I hope that I have assured her that we are concerned and are doing all that we can to free up the system and ensure that her farmers and mine, along with those in other affected parts of the country, are able to produce the best crops that they can in difficult circumstances.

Question put and agreed to.

10.28 pm

House adjourned.

House of Commons

Tuesday 17 May 2011

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Restorative Justice

1. **Nicky Morgan** (Loughborough) (Con): What plans he has for the use of restorative justice to reduce the level of offending; and if he will make a statement. [55666]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): We are committed to increasing the use of restorative justice throughout the criminal justice system. Restorative justice should play a part in activities ranging from informal disposals administered by front-line police officers to enabling serious offenders to face up to the consequences of their actions. There is growing evidence of its potential to cut reoffending and crime, and to enhance the role of victims in the delivery of justice.

Nicky Morgan: Charnwood council's reducing reoffending scrutiny panel has been considering how to promote restorative justice locally. One of the problems that it has identified is that offenders are often released on Fridays or at weekends with no practical support. Before it can get around to worrying about restorative justice, we need to know what the Ministry can do to ensure that offenders are given the practical support that they need when they join the community.

Mr Blunt: My hon. Friend has raised a valid operational concern about Friday releases. However, holding prisoners whose statutory release date falls at a weekend until the following week is unlawful, and we do not think it right for prisoners to be let out early: they should serve the custodial period required by law. Our duty is to manage the operational issue of Friday releases. That includes ensuring that all prisoners are properly prepared for release, and implementing restorative justice as part of that preparation where appropriate.

Gloria De Piero (Ashfield) (Lab): My constituent Gary Thrall was left for dead after a vicious knife attack last year. His first contact from Victim Support came five weeks later, when it was suggested that he might like to meet some knife attackers. Does the Minister agree that that is a gross misuse of restorative justice, and what can he do to ensure that the same thing does not happen to other people?

Mr Blunt: I read about that case in the papers. It is plainly important for restorative justice to carry the confidence of victims. They should not be placed in a position in which they are required to take part in restorative justice disposals; restorative justice should be a right for them to exercise when they see fit, and when it is clearly in their interests to do so.

Sir Alan Beith (Berwick-upon-Tweed) (LD): Is the Minister aware that many victims greatly value the restorative justice process, because it brings the person who has caused them harm face to face with the harm that he has caused? Does the Minister recognise the need for it to be mainstreamed into the system rather more than it is at present? There are many areas in which it is currently not available to benches and courts.

Mr Blunt: I entirely agree with my right hon. Friend. It is important to bear in mind that restorative justice is a right for victims. I believe that if, in the circumstances described by the hon. Member for Ashfield (Gloria De Piero), a victim wished to exercise the right to engage in restorative justice and to demand an account from an offender who was pleading guilty or had been found guilty, he or she should have the opportunity to do so. The victim impact statement, as part of the restorative justice process for the benefit of the victim, must become a much clearer element of our justice system.

Helen Goodman (Bishop Auckland) (Lab): I agree with the Minister that restorative justice can be a positive intervention, and I was pleased to be able to attend a restorative justice session in Wormwood Scrubs organised by volunteers from the Prison Fellowship on 28 March. Unfortunately, however, it was the last such session to take place in a prison in the London region. Can the Minister explain why that is, given that it is agreed that restorative justice can be an effective intervention? Is this yet another example of the gap between rhetoric and reality?

Mr Blunt: No, it is not. The hon. lady is referring to a decision by the management of London prisons, which are principally local prisons, to focus on short-term offenders who are incarcerated in London as well as in local prisons supporting the courts. We are going to change the system so that restorative justice is embedded in the criminal justice process from beginning to end. The hon. Lady supported her party for a very long time in trying to get that done. I assure her that we shall absolutely deliver it.

Injunctions (Privacy)

2. **Mr John Whittingdale** (Maldon) (Con): If he will estimate the number of existing injunctions granted on the grounds of invasion of privacy. [55667]

The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke): The Ministry of Justice currently holds some limited data on the numbers of injunctions applied for in the county courts, but they do not allow identification of anonymity injunctions. The Department's chief statistician is currently considering how robust data on the number of anonymity injunctions issued by the courts might be collated in the future.

Mr Whittingdale: Is my right hon. and learned Friend concerned about the possibility that the large number of injunctions that appear to be being granted on a routine basis suggests that the courts are paying insufficient regard to section 12 of the Human Rights Act 1998, which was intended to protect press freedom? Given that, and given the huge speculation on the internet about the identities of those who have obtained injunctions, does he feel that the time is approaching when Parliament may need to revisit the issue?

Mr Clarke: I do not think any of us know whether the number is increasing. As far as I am aware, there have been two super-injunctions since the John Terry case, but the word "super-injunction" gets used very widely. I realise there is increasing concern, however. I personally have strong views on the secrecy of justice. We have a tradition of open justice in this country. Plainly, I believe in the freedom of the press and freedom of speech in this country, even when it is sometimes exercised provocatively, as it is supposed to be in a free country, but there are also areas where an individual is entitled to have their privacy protected. The time is certainly coming when the Government are going to have to look at this matter, although we will probably wait until we have had the report of the Master of the Rolls, who is looking rather more closely at the procedural aspects.

Sadiq Khan (Tooting) (Lab): The Lord Chancellor is right to remind us that it is important that we get the balance right between freedom of speech and an individual's right to privacy, but he will be aware of the public disquiet about the use of the anonymity injunction or super-injunction, both in terms of its abuse—or alleged abuse—and its circumvention, for example by the use of Twitter. As he has said, the current situation is not satisfactory, but the Master of the Rolls is simply looking at the process, rather than the substance. What does the Lord Chancellor intend to do about that, so as to provide leadership on this issue?

Mr Clarke: First, I agree that the Master of the Rolls is looking at process, and I am sure what he says will be very valuable. As I have said, we will wait until he reports back before starting to take a proper look at the issue, but I think the Government will now have to study it and decide whether there is a case for intervening. There will never be unanimity on all these judgments, precisely because it is so difficult to balance the competing parts of the convention on human rights and the competing interests involved. There have been cases where we have certainly needed to know—such as where people are disposing of waste material by dumping it off the coast of Africa. That is easy in one direction, but in the other, every time I watch a football team I do not think I necessarily need to know about the sex life of each of the players.

Sadiq Khan: As is often the case, I find myself agreeing to a large extent with what the Lord Chancellor says, but let me say this. Super-injunctions are not granted by European judges using European law; they are granted by British judges using British law, and Parliament has supremacy over that law and those judges. If clarity and guidance is required and suitable, and bearing in mind the fact that we have the draft Defamation Bill and the forthcoming justice Bill, why does he not just say that he will use those vehicles to provide clarity and guidance?

Mr Clarke: We will consider these matters, and it is probably right that Parliament passing a privacy Act might well be the best way of resolving the issue, but we need to get somewhat nearer a consensus and to know exactly how we are trying to strike the balance before something is submitted for the judgment of Parliament. We may well not have to wait until the end of a long, controversial process such as that, and instead find some other way of tackling the issue, but we are considering it and we will come back with proposals in due course. If there were debate on a privacy Bill, there would be an interesting range of opinions even in Parliament, but I have not met many people yet who seem to have the perfect answer as to how to get the balance right.

John Hemming (Birmingham, Yardley) (LD): Some of these injunctions serve to prevent information from being passed to the police or other regulators. Does the Secretary of State believe the law should be changed so that regulators can always have information passed to them?

Mr Clarke: That is one of the arguments which the judge who decides whether to grant the injunction will no doubt have in mind. Whether it is reasonable and in the public interest for the injunction to be granted is what the judge is meant to try to establish. The question for us is how we can make that clearer and more defensible, and how we can know more about what is happening so that we are all satisfied that injunctions are granted only in cases where the right to privacy of the individual is, indeed, being interfered with unjustly, but I know of the hon. Gentleman's interest in this topic, and we will bear his views in mind—

Mr Speaker: I am grateful to the Secretary of State for his answer.

ECHR Jurisdiction

3. **Mr William Bain** (Glasgow North East) (Lab): What reforms he is pursuing of the jurisdiction of the European Court of Human Rights. [55668]

The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke): I will try not to talk this one out, Mr Speaker—although I will be tempted to do so.

Reform of the Court will be a key aim of the forthcoming UK chairmanship of the Council of Europe. We will be pressing in particular to reinforce the idea that the Court's role is a subsidiary one, which means that states, not the Court, have primary responsibility for protecting convention rights.

Mr Bain: I thank the Secretary of State for that answer. In supporting reforms that cut the backlog of cases and reduce the delays that many people experience in the Strasbourg Court, does he agree with Amnesty International and 270 other non-governmental organisations which have founded a petition to campaign against the introduction of fees in the European Court of Human Rights, as they believe those could, in some cases, represent an insurmountable barrier to justice?

Mr Clarke: I certainly think that one of the things that needs to be tackled and can be tackled without too much difficulty is the thousands upon thousands of cases awaiting a hearing at the Court, many of which are completely outside the sphere of the convention and could be disposed of reasonably straightforwardly. The question of fees will have to be decided in due course by the Ministers of 47 member states of the Council of Europe, but there is not much evidence at the moment that people are feeling excluded from the jurisdiction by the threat of any imminent costs.

Stephen Phillips (Sleaford and North Hykeham) (Con): There would be very little problem with the jurisdiction of the Strasbourg Court if we repealed the Human Rights Act 1998, withdrew from the convention and replaced it with a British Bill of Rights. Does the Secretary of State agree that it is about time that that happened?

Mr Clarke: If we repealed the Human Rights Act, which is one of the matters being looked at, we would just go back to having the convention applied directly by Strasbourg. The issue attracts a wide range of views, which is why we have set up a commission to consider them—*[Interruption.]* We have indeed set up the commission. It is composed of serious people who have expressed a very wide range of views in the past on the subject. They will strive to reach a consensus and it will be useful to get a properly informed and expert assessment of what the various options might result in. I am sure that the package of measures recommended by my hon. and learned Friend is one of the matters they will be considering in the course of their discussions.

Sentencing

4. **Steve McCabe** (Birmingham, Selly Oak) (Lab): When he plans to bring forward proposals on the future of sentencing. [55669]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): In December 2010, the Government set out proposals for more effective punishment, rehabilitation and sentencing of offenders in the "Breaking the Cycle" Green Paper. We are finalising our response to the views expressed during the consultation and will publish it shortly. That will be followed by the publication of the legislation required to implement our proposals.

Steve McCabe: I am grateful for that answer. Is it the Government's view that someone who breaks into a person's house and threatens violence should automatically receive a prison sentence, irrespective of whether it is a first offence?

Mr Blunt: It is the Government's view that justice should be done, and that is best done by judges taking into consideration the circumstances of every individual case. There will be circumstances in which Parliament has made clear its views in legislation. As a former Parliamentary Private Secretary to the Home Secretary, the hon. Gentleman will well understand that. He will also well understand the potential for miscarriages of justice if this place chooses so to tie the hands of judges that they are not able to exercise justice in the individual cases that come before them.

Mr Robert Buckland (South Swindon) (Con): There are a lot of noises off about this Government's sentencing policy, but is not the reality that the simple aim of that policy is to reduce reoffending and to protect the public, and that nothing more need be said?

Mr Blunt: Yes.

Mr Jack Straw (Blackburn) (Lab): At present, a defendant entering an early guilty plea will earn up to a third off the sentence that would otherwise apply. The Government are proposing to replace that with a discount of a half, a move which is opposed by the judiciary and many others. How on earth will giving a half off a sentence help to protect the public?

Mr Blunt: I would have thought that a moment's reflection would make that clear. Let us suppose that someone who is accused of rape co-operates with the authorities at the first opportunity, rather than puts their victim through the entire process of having to be prepared to give evidence and then having to give evidence. That is one example where there is a definitive benefit to the victim from encouraging the earliest possible guilty plea.

Mrs Helen Grant (Maidstone and The Weald) (Con): Does my hon. Friend agree that short-term prison sentences for women are quite ineffective and that robust community options would be much better?

Mr Blunt: As my right hon. and learned Friend the Justice Secretary made clear last year, there are of course problems with short prison sentences for both male and female offenders. We will not take away from the judiciary and magistracy the ability to use short sentences when required, but we need to ensure that community sentences that are properly robust and properly punitive can carry public confidence as an appropriate option, particularly for women offenders who frequently have wider responsibilities in the community that would be lost if they were incarcerated.

Prisoners (Foreign Nationals)

5. **Nick Smith** (Blaenau Gwent) (Lab): How many foreign national prisoners he expects to return to their country of origin to serve their sentences in 2011-12. [55670]

17. **Mr David Hanson** (Delyn) (Lab): How many foreign national prisoners he expects to return to their country of origin to serve their sentences in 2011-12. [55685]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): In 2010, 5,235 foreign national prisoners were removed or deported from the UK. The number of foreign national prisoners has reduced by 622 since 31 March 2010 to the present figure of 10,745. The number of foreign prisoners transferred through prisoner transfer arrangements remains regrettably low due to the voluntary nature of most of our existing arrangements. We expect about 60 prisoners to be transferred in 2011-12 to serve their sentence and for the number of transfers to rise progressively as the European Union prisoner transfer agreement enters into force.

Nick Smith: The Prime Minister vowed to repatriate thousands of foreign prisoners. How many foreign national prisoners have been repatriated in the past six months and how many does the Minister expect to repatriate in the coming 12 months?

Mr Blunt: I just told the House that in 2010 we repatriated 5,235. I would imagine that we will repatriate a similar or larger number next year.

Mr Hanson: On 2 June, in answer to his hon. Friend the Member for Kettering (Mr Hollobone), the Prime Minister said:

> "I have asked the Home Secretary to work with the Foreign Secretary to draw up agreements with as many countries as possible".—[*Official Report*, 2 June 2010; Vol. 510, c. 434.]

Will the Minister update us on which new countries he has drawn up agreements with in the 11 months succeeding that date, what agreements have been finalised and, while he is at it, whether three and a half years after I began negotiations we finally have an agreement with Nigeria on repatriation?

Mr Blunt: I regret to inform the right hon. Gentleman that we are still waiting for the Nigerians to complete their legislative processes, but that is in process and I am delighted to report to him that we have every expectation that it will be brought to a conclusion. As the right hon. Gentleman knows, we do not control both sides of a negotiation and we have to ensure that we have partner countries that will agree to compulsory transfer. He, of all people in this House, is well aware of how difficult that is. That does not mean that we will not try to improve on the dreadful performance of the previous Administration.

Legal Aid Reform

6. **Jessica Morden** (Newport East) (Lab): When he expects to bring forward legislative proposals for the reform of legal aid. [55671]

7. **Chris Evans** (Islwyn) (Lab/Co-op): When he expects to bring forward legislative proposals for the reform of legal aid. [55672]

9. **Rosie Cooper** (West Lancashire) (Lab): When he expects to bring forward legislative proposals for the reform of legal aid. [55674]

12. **Liz Kendall** (Leicester West) (Lab): When he expects to bring forward legislative proposals for the reform of legal aid. [55680]

13. **Julie Elliott** (Sunderland Central) (Lab): When he expects to bring forward legislative proposals for the reform of legal aid. [55681]

The Parliamentary Under-Secretary of State for Justice (Mr Jonathan Djanogly): We intend to bring forward legislation when parliamentary time allows.

Jessica Morden: A host of organisations, including Citizens Advice, the Law Society and the Select Committee on Justice, have criticised the lack of an evidential basis for the proposed legal aid changes and have asked the Government to slow down and think again. Will the Minister be willing to act on their advice?

Mr Djanogly: The hon. Lady's question implies that the Government have not been listening. I would say that that is not the case. The consultation elicited some 5,000 responses, we have now had three Adjournment debates on legal aid reform, hundreds of questions have been tabled and I have been engaging in debates, sometimes with shadow Ministers, outside this place. I would say that the Government have been doing a lot of listening on the issue and we will be ready for legislation shortly.

Chris Evans: Solicitors have complained to me that the proposals could turn Islwyn into a legal aid desert. What estimate has been made of the number of practitioners who would stop legal aid work if the reforms were made?

Mr Djanogly: The Government's position is not to start off with the number of legal aid practitioners. Our starting point is the sort of legal aid system that we should have in this country, which will support vulnerable people. The number of practitioners to service that will follow.

Rosie Cooper: Does the Minister believe that there is anything to learn from the Secretaries of State who have been dealing with forestry and health when it comes to rushing through proposals that have been rejected by professionals, the public and coalition Members of both Houses?

Mr Djanogly: I think that I answered that question previously. I certainly believe that we have listened and engaged fully.

Liz Kendall: The Minister has just said that he wants his plans to protect the most vulnerable, but his own impact assessment says that low-income families, women and minority ethnic groups will be disproportionately affected. Can he explain how that is fair?

Mr Djanogly: Legal aid per se involves poor people, so if we are going to reduce costs it will impact on poor people. It is true that individuals with protected equality characteristics are over-represented within the current client base of civil and family legal aid when compared with the population as a whole, although the extent of that varies by category of law.

Julie Elliott: Will the Minister be taking the advice of the Select Committee on Justice, which recommended that the Government should assess the

> "merits of the cost-saving proposals put forward by the Law Society",

namely the alternative savings of £384 million—£34 million more than the Government's proposals would save—while protecting all civil and family legal representation?

Mr Djanogly: Various alternatives have been suggested by the institution that the hon. Lady mentions and by many others during the consultation. The question is whether they would work and whether they would deliver the required savings within the spending review period. The main proposal of the Law Society, which she mentioned, is an alcohol levy—a penny on your pint to pay for lawyers.

Duncan Hames (Chippenham) (LD): I am glad that the Minister is actively listening on this issue—*[Interruption.]* We will see, won't we? Under his proposals, someone with a debt case who faces homelessness will be eligible for legal aid, so why should someone facing homelessness in a case of unlawful eviction not also be eligible?

Mr Djanogly: Those are the sorts of issues that we have been considering very carefully through the consultation process. It is very important to realise that even after our reforms we will still be spending £40 million on housing legal aid, for example, and £6 million with debt, so it would be wrong to say that we are abolishing those areas of law. We are looking to get better value and to make sure that the money goes towards helping the vulnerable.

Tom Brake (Carshalton and Wallington) (LD): The Minister will have noted a great degree of consistency in the submissions on the proposed changes to legal aid, with concerns expressed about family law, debt and housing law, medical negligence and cost-shunting on to other Departments. He has confirmed that the consultation on legal aid has been a genuine listening exercise. Can he confirm that many of the points expressed by organisations such as the Law Society and the CAB have been heard and, critically, will be acted on?

Mr Djanogly: All of the submissions have been heard and are being considered very carefully—I can assure my hon. Friend of that. As for whether we put them all into place—that is unlikely, but we will consider them all and where we need to change our proposals, changes will be made.

Karl McCartney (Lincoln) (Con): I recently met Langleys Solicitors, a firm based in my constituency, which feels that the recommendations about reductions in the provision of legal aid combined with the recommendations from Lord Jackson's report on civil court reforms will seriously undermine access to justice and the rule of law. What assurances can my hon. Friend give to Langleys, my constituents and me that the Government's reforms will not make it more difficult for ordinary people to have recourse to the courts to right wrongs?

Mr Djanogly: I have to be up front with my hon. Friend and say that less money will be spent on legal aid, which means that fewer people will have access to legal aid. The important issue is that we direct scarce resources to the most vulnerable, and that is exactly what we will be doing by prioritising those whose security and liberty is at risk and those whose homes are at risk of immediate repossession.

Dr Julian Huppert (Cambridge) (LD): I was fortunate to secure a debate on legal aid last week in which I and others had the opportunity to go through some detailed concerns. Sadly, the Minister ran out of time in which to respond; I trust that he will respond to us all in writing. He implied then that there would be changes to the original proposals. Can he confirm that now, and what will they be?

Mr Djanogly: I can confirm that a letter has been sent to my hon. Friend, so he should get it shortly. As I said in the Adjournment debate, which helpfully enabled hon. Members to put their points across, issues that were raised then are being looked at carefully by the Government. We will assess those and some of them may have implications for our legislation in due course.

Mr Andy Slaughter (Hammersmith) (Lab): The Secretary of State has accepted Lord Justice Jackson's recommendations on civil litigation reform. He said they were "very attractive" and he was "impressed" by them, so why is the Minister ignoring the report's recommendation that the Government make

"no further cutbacks in legal aid availability or eligibility"

because

"The legal aid system plays a crucial role in promoting access to justice at proportionate costs"?

Mr Djanogly: Legal aid does play a very important part in access to justice, which the Government support. Lord Justice Jackson was looking at civil costs, and in that context he looked at legal aid. On that point, as in various other instances, we did not agree with his recommendations. What we will put forward in legislation is a total all-encompassing package. The shadow Minister will appreciate that we consulted on public and private funding at the same time so that those who wanted to respond could do so in the context of both.

Work Opportunities (Prisons)

8. **Tony Baldry** (Banbury) (Con): What steps he is taking to promote work opportunities in prisons. [55673]

The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke): We have made clear our intention to make prisons places of work and industry. In the Green Paper, "Breaking the Cycle", published last December, we set out our proposals to break the destructive cycle of crime. That included proposals for prison work. Our response to the consultation on the Green Paper will be published soon.

Tony Baldry: Can my right hon. and learned Friend kindly tell me how many more work and training opportunities there are in prisons today than there were this time last year?

Mr Clarke: No, I cannot. *[Interruption.]* The system requires considerable transformation. We intend to introduce as widely as possible a system in which it is normal for prisoners to have a working day doing proper work, getting into work habits and acquiring skills. We have some—comparatively few—outstanding examples of workshops run by outside companies and we are attracting wide interest from companies in how we can do that. Prison Industries will have to be addressed and we will probably have to put it on a different and more commercial footing. We are looking for work that can properly be done in prison without jeopardising legitimate small businesses outside. A moment ago I was accused of rushing everything. The great thing about such reforms, which will transform the prison system, is that there is no point in delivering straight away experiments that have not been thought through. I intend to change the atmosphere of prisons very substantially once we have got down to practical ways of doing so.

Mrs Jenny Chapman (Darlington) (Lab): The introduction of work-based regimes more widely will be warmly welcomed by people who know about rehabilitation, but victims are concerned about reparation. Will the

Secretary of State make sure that any wages earned as part of a work-based regime go directly to benefit victims or the communities that have been victims of crime?

Mr Clarke: Yes. I am glad the hon. Lady agrees on that sensible approach. That, too, is an important innovation that we must make.

Mr David Evennett (Bexleyheath and Crayford) (Con): I welcome my right hon. and learned Friend's response on increasing work opportunities in prison, but will that extend to more education and training in prison?

Mr Clarke: A great deal of education and training is delivered in prisons now, but it needs to be improved; it is patchy. We are not losing our focus on making sure that the basic problems of literacy and numeracy are tackled, let alone other further education delivered, and we hope to make sure that the contracts for provision of education and training services are of universally good quality.

Hywel Williams (Arfon) (PC): My right hon. Friend the Member for Dwyfor Meirionnydd (Mr Llwyd) has a ten-minute rule Bill which would make it mandatory for those sentenced to two years or more to undertake a relevant offender management programme before being considered for early release. Do the Government intend to take those proposals forward?

Mr Clarke: We sentence people to prison terms as reparation for the wrong that they have done to their victims and society, and when they have completed their sentence we release them. Under existing rules they may be released from prison halfway through the named sentence, but they are on licence thereafter, subject to recall, and that has to be made meaningful. I do not want to add to the number of people in prison who are serving beyond any sentence that they have had imposed upon them for the crime that they committed, but who are waiting to go through some loophole which shows that they qualify for release, not least because it is very difficult to organise true opportunities for prisoners to be able to satisfy such requirements.

Charity Initiatives (Prisons)

10. **Mark Menzies** (Fylde) (Con): What steps his Department is taking to involve the charity sector in prison-based initiatives. [55675]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): The National Offender Management Service is committed to opening commissioning to all sectors. The Green Paper and the Ministry of Justice business plan for 2011 to 2015 set out that we will no longer provide rehabilitation services directly without testing where the private, voluntary and community sectors can provide them more effectively.

Mark Menzies: It is likely that many of the contracts for the rehabilitation of offenders will be placed with large providers, but what steps is the Minister taking to ensure that the charities and small-scale providers that do a lot of valuable work in that regard are being rewarded under payment by results?

Mr Blunt: The value of what is done by charities and the voluntary sector in the rehabilitation of offenders cannot possibly be overstated. There are thousands of groups and tens of thousands of people who want to engage with us to deliver the rehabilitation of offenders because it is the right thing to do. With a system now focusing on outcomes rather than inputs, it would be fairly foolish to ignore the capacity of this great army of auxiliaries to help us deliver rehabilitation.

Mrs Madeleine Moon (Bridgend) (Lab): Barnardo's is working with G4S Parc prison in my constituency, along with a range of other partners, to look at the Parc supporting families scheme and the family intervention unit, which take the most difficult and prolific offenders and work with them to bring change. I invite the Minister to come to Bridgend to see how that work is changing outcomes, changing the opportunities for rehabilitation, bringing security for communities and reducing reoffending. It is an excellent example of the schemes that we are looking for.

Mr Blunt: I am very grateful for the hon. Lady's invitation. I have visited all the prisons in Wales, but I have rather more of the estate to get around before I have seen them all. I am anxious to hear about the kind of scheme she describes. I see examples of good practice all over the country of people working very hard in both the prison and probation services to engage other organisations, as she has described, and help the rehabilitation of offenders.

Drug Rehabilitation

11. **Chris White** (Warwick and Leamington) (Con): What steps he is taking to improve rehabilitation for those convicted of drug offences. [55676]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): Our proposals on the rehabilitation of drug-misusing offenders were published in a Green Paper, "Breaking the Cycle", in December 2010. These include: ensuring that sentencing helps offenders to come off drugs; piloting drug recovery wings in prisons; supporting the Department of Health in developing payment-by-results drug recovery pilots; and testing options for intensive community-based treatment for both female and male offenders.

Chris White: Between 2005-06 and 2009-10, there was a 24% rise in the number of drug offences committed in Warwickshire. There is clearly a need for improved levels of rehabilitation for those who have suffered from drug addiction. The charitable, voluntary and social enterprise sectors are often best placed to provide this support. Will the Minister therefore tell the House what work he is doing to engage with those sectors to deliver better support and improve rehabilitation while at the same time reducing drug-related crime?

Mr Blunt: My hon. Friend has pointed clearly to a consequence of the failure to rehabilitate offenders effectively, which should have happened under the previous Administration. That is why we are engaged in what we are calling a revolution in rehabilitation. As I said in answer to my hon. Friend the Member for Fylde (Mark Menzies), we will have to ensure that we engage the full capacity of the voluntary and charitable sectors, in co-operation with the state sector and the private sector, in order to maximise our capacity to deliver and to focus them on outcomes rather than inputs.

Dr William McCrea (South Antrim) (DUP): Has the Minister seen the headline in a national newspaper today stating that drug addicts are pocketing benefits amounting to more than £1 billion every year? Does he accept that the welfare system needs to be reformed to give addicts help in the form of treatment, rather than funding their addiction, and how does he see such a proposal being taken forward?

Mr Blunt: That is an extremely important part of effecting the rehabilitation of offenders. The number of offenders whose offences are drug-related is very substantial, so in conjunction with the Department of Health we are examining and introducing pilots on the whole treatment of drug addiction in the community. Many offenders will enter those pilots and then, I hope, the scheme when we roll it out system-wide by the end of the Parliament. We are also examining with the Department of Health how we treat people in prison in order to ensure that we are much more focused on abstinence as well. I fear I may exhaust the patience of Mr Speaker if I go on.

Legal Aid (Immigration)

14. **Simon Kirby** (Brighton, Kemptown) (Con): How much his Department spent on legal aid for cases concerning immigration in the latest period for which figures are available. [55682]

The Parliamentary Under-Secretary of State for Justice (Mr Jonathan Djanogly): The Legal Services Commission's gross operating expenditure on asylum and immigration legal aid in the financial year 2009-10 was £90 million, of which about £26 million was for immigration matters.

Simon Kirby: Does my hon. Friend agree that the best way to reduce the amount of money spent on legal aid for immigration cases is to resolve those cases as promptly as possible, and that, had we not inherited an immigration system in crisis from the Labour party, the costs would be lower already?

Mr Djanogly: My hon. Friend is quite right. The best way to reduce the amount of money spent on immigration legal aid is to retain taxpayer funding for serious issues only. Our current view is that most individuals involved in immigration cases, such as those applying for study or work visas or making citizenship applications, should not require legal aid to resolve their issues.

Victim Support (Violent Crime)

15. **Margot James** (Stourbridge) (Con): What recent discussions he has had with the Commissioner for Victims and Witnesses on support for victims of violent crime; and if he will make a statement. [55683]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): The Commissioner for Victims and Witnesses and the Justice Secretary are in regular contact. The commissioner has just completed her first year in post, working to a set of priorities agreed last year with my right hon. and learned Friend following a meeting with him. These included looking at the most effective provision for people bereaved by murder and manslaughter, and improving the treatment of young victims and witnesses.

As Minister with responsibility for victims policy, I have met the commissioner twice formally and on other occasions informally. We discussed and continue to discuss support for victims of violent crime as well as all other aspects of policy relating to victims and witnesses.

Margot James: In Stourbridge we have a good Victim Support service, staffed largely by volunteers, but it operates on something of a shoestring, which affects awareness and its potential for partnership working. Does my hon. Friend agree that there should be some shift of resource in the system towards Victim Support?

Mr Blunt: I pay tribute to Victim Support, which plays an extremely valuable role in supporting victims and witnesses throughout the country. This year we agreed a funding deal with it, involving a grant of £38 million every year for three years, giving it greater financial security. Victim Support is also able to bid for additional money for local projects from the £18.5 million victims general fund, for which we invited bids this year. Overall, the Ministry of Justice is committing more money to the victims voluntary sector this year than last year, which of course, in the dreadful financial circumstances that we inherited from the previous Administration, shows our priorities.

Robert Flello (Stoke-on-Trent South) (Lab): The Government talk a really good game about supporting victims, but the reality is that under cover of a review the British Crime Survey is cutting questions on victims' views, the witness and victim experience survey has ended and Her Majesty's Courts Service's court-users survey is coming to an end. We need to listen more to the victims of crime and put them at the heart of our judicial system, so can we have an assurance that the Secretary of State will reinstate survey questions or, indeed, improve on them, and not push under the carpet the experiences of victims and witnesses of how the British legal system operates?

Mr Blunt: There we have it—a demonstration of acquiring inputs, measurements and targets rather than focusing on outputs. The last thing that we do, as the hon. Gentleman knows perfectly well, is ignore victims. When we come forward with our strategy for victims and witnesses, he will see the extent of our commitment to ensuring that victims and witnesses are properly supported in the justice system.

Prisoners (Foreign Nationals)

16. **Jessica Lee** (Erewash) (Con): What recent discussions he has had with the Secretary of State for the Home Department on the removal of foreign national prisoners who are awaiting deportation. [55684]

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): I am in regular contact with my hon. Friend the Minister for Immigration, and my officials are in regular contact with their counterparts at the Home Office. The removal of foreign national prisoners awaiting deportation is a mutual priority.

Jessica Lee: I am grateful to my hon. Friend for his response. I am sure he agrees that the incarceration of criminals from outside the UK is not a duty owed by taxpayers from Erewash or, indeed, elsewhere throughout the country. The Government's sentencing Green Paper explores how punishments for foreign offenders could include immediate removal, rather than imprisonment in this country. Will my hon. Friend please update the House on proposals to consider that measure?

Mr Blunt: There will very shortly be an opportunity for all right hon. and hon. Members to see our proposals in response to the consultation on the Green Paper, and it would be appropriate to wait until then so that proposals come forward together in a coherent manner. We have to remember that we are dealing with the consequences of an era of inaction when, for example, the Council of Europe additional protocol on the transfer of prisoners was open for signature in 1997 and it took until November 2009 for that lot over there to sign it.

Topical Questions

T1. [55691] **Mr Dominic Raab** (Esher and Walton) (Con): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke): I shall begin with a topical statement. On 26 April, I attended a Council of Europe ministerial conference in Turkey on the future of the European Court of Human Rights. I was clear that the Court must focus on truly important cases and have proper regard to the judgment of national Parliaments and courts. I met a number of Ministers from other member states and senior figures from the Council of Europe and the Court who were receptive to this view.

Mr Raab: In a recent and novel ruling, a man convicted of robbery defeated a deportation order on human rights grounds because he had a girlfriend—a relationship that the court described as that of a courting couple and no more. Will my right hon. and learned Friend consider amending the Human Rights Act 1998 and the human rights clause in the UK Borders Act 2007 to prevent this kind of judicial legislation under article 8 of the European convention?

Mr Clarke: I have not seen that case, but I agree that it sounds like a rather sweeping interpretation of the right to family life, which is what the European convention confirms. If my hon. Friend will let me have the details, I will inquire into the case to see how it reached such a startling conclusion. It is possible that the report that he read, in whichever newspaper he read it, did not bear a very close resemblance to what actually occurred.

Sadiq Khan (Tooting) (Lab): The Lord Chancellor has announced plans—this was raised by the previous Lord Chancellor—to reduce by half the sentence for an offender if he or she pleads guilty. In a remarkably flippant response, his junior Minister, the Under-Secretary of State for Justice, the hon. Member for Reigate (Mr Blunt), asked us to pause and reflect on the thoughts and views of a victim of rape. It is not only Labour MPs who think this is nonsense, nor only judges or victims groups: the Lord Chancellor's own Commissioner for Victims and Witnesses says that it is bonkers. Will the right hon. and learned Gentleman reconsider?

Mr Clarke: We are going to give the outcome of our consultation shortly, but I think that that proposal is likely to survive. The fact is that we have always had a reduced tariff for early guilty pleas in this country. It always startles the public when they discover that this has underlined our sentencing policy for many years. It is true that we are thinking of putting up the reduction to a half. It makes an enormous difference to costs, police time and the involvement of unnecessary preparations for trial if everybody leaves guilty pleas to the last possible moment. As my hon. Friend the Under-Secretary rightly said, victims and witnesses are put through an ordeal if they are preparing for a trial where they expect to be accused of lying because the man has not been induced to plead at an early enough stage. Those are the considerations that lay behind this proposal.

T2. [55692] **Jason McCartney** (Colne Valley) (Con): Last month, I visited Kirklees restorative justice team, who, in Kirklees alone, need to keep only two offenders out of prison for a year to cover the whole of their budget. However, does the Minister agree that probably one of the most impressive elements of restorative justice is the immeasurable improvement in victims' perceptions?

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): I absolutely agree with my hon. Friend. The evidence from Northern Ireland, where a statutory form of restorative justice has been working positively in the youth sector, shows 85% levels of victim satisfaction. The data are getting better regarding the effect of restorative justice on the rehabilitation of offenders, and appear to show at least a 14% improvement if we use it. That is a pretty convincing case for the proper use of restorative justice, quite apart from the financial benefits that my hon. Friend mentioned.

T3. [55693] **Nic Dakin** (Scunthorpe) (Lab): The Secretary of State will be well aware of the tragic loss of five young lives on the secure prison estate in recent months. Will he outline what work he and his officials are undertaking to look into those tragic deaths, and what measures he intends to put in place to prevent future occurrences?

Mr Kenneth Clarke: We have had an unfortunate instance, but we will obviously investigate each of those tragic cases. Unfortunately, there are always extremely vulnerable people in young offender institutions, and steps have to be taken to protect them against self-harm. I have no reason to believe that anything has changed significantly that connects these deaths. I assure the hon. Gentleman that each and every one of them will be carefully considered to see whether anything went wrong or whether something can be improved.

T4. [55694] **Mark Lancaster** (Milton Keynes North) (Con): Does the Secretary of State share my concern and that of my constituents that prisoners are not spending their time inside constructively? Will any future Bill address that issue by ensuring that prisoners spend more time at work than in their cells?

Mr Kenneth Clarke: As I explained earlier, I feel that concern strongly. The matter does not so much require legislation as sensible organisation, change in the structure of Prison Industries, and more leeway for governors to arrange work when there is a sensible opportunity to do so. A significant change in the culture of parts of the Prison Service would add to the good work that goes on at the moment, which is quite rare and is scattered across the prison estate. I agree with my hon. Friend that that is an important aim.

T6. [55696] **Teresa Pearce** (Erith and Thamesmead) (Lab): Earlier this month, the foetal anti-convulsant litigation against Sanofi Aventis was discontinued after six years' preparation. The claimants and their families have been denied their day in court because legal aid funding was withdrawn at the last moment. Will the Minister say what funding arrangements will be available for multi-party actions in future so that such families are not denied access to justice?

The Parliamentary Under-Secretary of State for Justice (Mr Jonathan Djanogly): The funding of clinical negligence cases in this country is about 50:50 between legal aid and conditional fee arrangements—in other words, private funding. We believe that when people have the opportunity of private funding, they should take that option. In looking at our proposals for reviewing privately funded litigation, we are taking clinical negligence cases on board and are moulding our proposals to help those who want to take such cases.

Richard Drax (South Dorset) (Con): The feeling has been expressed by several sources in the two prisons in my constituency that former members of the armed services are not looked on favourably in Prison Service recruitment. Will the Minister reassure me that that is not the case?

Mr Blunt: It will come as no surprise to my hon. Friend, given our mutual background, that I would regard such discrimination against former members of the armed services as wholly unacceptable. If prison officers can produce evidence for that, I would be extremely interested to receive it.

T8. [55698] **Lindsay Roy** (Glenrothes) (Lab): The Crime and Security Act 2010 received Royal Assent more than a year ago. How much longer will victims of overseas terrorism have to wait to receive their compensation? Those victims include Will Pike, who will spend the rest of his life in a wheelchair, following injuries sustained in the Mumbai terrorist attacks in 2008.

Mr Blunt: I saw Will Pike and his father last week along with another representative of victims of terrorism overseas. We are bringing forward proposals on that, and will do so when we bring forward comprehensive proposals on victims, witnesses and criminal injuries compensation.

T7. [55697] **Peter Aldous** (Waveney) (Con): Does the Minister agree that justice is best dispensed through a network of local courts, such as that at Lowestoft in my constituency? Will he provide an assurance that, following the recent round of closures, there are no plans for further rationalisation and that every effort will be made to sustain the existing network of magistrates courts?

Mr Djanogly: I believe that justice is best dispensed through a network of courts that is efficient and well-utilised, and that provides the facilities that are expected of a modern courts system, particularly for victims and witnesses. I confirm that there are no current plans for further rationalisation.

Paul Goggins (Wythenshawe and Sale East) (Lab): Will the Justice Secretary take this opportunity to update the House on his policy on the office of chief coroner?

Mr Kenneth Clarke: We are considering our policy in the light of the debate and the result in the House of Lords. I have been discussing the matter with various interest groups, various Members of another place, and one or two Members of this House. Some of the lobbyists attribute to the chief coroner powers to tackle all kinds of failings in the system that the legislation never gave him or her. We could deliver some of the substantial changes that need to be made to the coroner system rather more quickly by distributing the functions elsewhere, rather than by creating unnecessarily a whole new office. I am considering the arguments. We ought to concentrate on what outcomes we are trying to produce, rather than argue about structures and new institutions.

Mr Speaker: I call Graham Evans. He is not here. Mr Davies.

Philip Davies (Shipley) (Con): Has the Secretary of State read the research commissioned by Lord Ashcroft and conducted by Populus called "Crime, Punishment & The People—Public opinion and the criminal justice debate"? If he has read the report, which I commend to him, will he confirm that its findings, which will make sobering reading for him, will be part of the proposals on sentencing?

Mr Clarke: I shall look at the report to see whether it is the source of my hon. Friend's views on the subject of crime and punishment, which he frequently gives, and then I will try to find some counter-reading to recommend to him. I will try to study it if I get the chance.

The purpose of sentencing in this country is to punish offenders effectively and proportionately for what they have done. The purpose that I intend to add to that more clearly is to try to reduce the number who simply offend again and come back into the system. If we cut reoffending, it will mean fewer crimes and fewer victims, and we will make a positive contribution instead of recycling the same old people through the same old not very well functioning system.

Fiona Mactaggart (Slough) (Lab): Will the Secretary of State take a look at the case of Shrien Dewani, a British citizen who faces extradition to South Africa? He has shown me convincing evidence that he will not face a fair trial there. Can we reconsider extraditing that citizen?

Mr Clarke: That is a matter for my right hon. Friend the Home Secretary, who I am sure will be interested in considering the case.

T10. [55700] **Dr Julian Huppert** (Cambridge) (LD): The Home Secretary recently announced her intention for police to do 80% of charging. I can see how that is to the benefit of the police, but has the Justice Secretary had any discussions about how we can ensure that it is not to the disbenefit of justice?

Mr Kenneth Clarke: That too is a matter for my right hon. Friend the Home Secretary, and the question should be addressed to the Home Office first.

Kate Green (Stretford and Urmston) (Lab): Legal aid to take family cases to court will in future be available only when domestic violence is an issue. Otherwise, couples will be expected to go to mediation. However, mediation may not be appropriate where there is a high degree of conflict, even when domestic violence is absent. What consideration is the Minister giving to how such cases will work after legal aid is removed?

Mr Djanogly: We are studying that issue very carefully through the consultation. We believe that mediation, as a cheaper, quicker and less stressful alternative, is normally the best way to go, but there will be circumstances in which it is not appropriate, domestic violence being one of them. We are considering the definition of domestic violence carefully.

Mr David Ruffley (Bury St Edmunds) (Con): Prisoners who reoffend cost the UK economy £10 billion a year. Is not the real solution for the Secretary of State to continue his excellent record as a public service reformer by incentivising private companies to rehabilitate prisoners and letting them earn a profit when they cut reoffending rates?

Mr Clarke: I am grateful to my hon. Friend, who has worked with me on public service reform in the past. I am glad he shares our objective because, as he says, it saves the economy substantial amounts and reduces the number of victims and further crimes if a higher proportion of those who finish their sentence do not go on to reoffend and get convicted again. The approach that we are adopting to improving the reoffending reduction programmes, which is to pay by results and make it quite clear that charitable and ethical investors can get a return on their capital if they succeed in delivering that objective, is a valuable and innovative way of trying to achieve real results rather than strive needlessly.

Ian Lavery (Wansbeck) (Lab): Mr Dean, a constituent of mine, is still waiting after three years for full payment of a compensation award from a persistent offender. What action are the Government taking, and what action will they take, against persistent non-payment of compensation awards by persistent offenders?

Mr Blunt: I am afraid that we inherited a criminal injuries compensation scheme that was £765 million in debt. That is why we have inadequate funds to pay compensation, and why the payment of compensation in many cases has, regrettably, been delayed. We are trying to repair a system that was bust when we inherited it.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Recently in my constituency, a convicted sex offender who was automatically released at the halfway point of his sentence reoffended in the most appalling way. Will my hon. Friend agree to meet me to discuss both automatic release for predatory child sex offenders, and whether it is appropriate to house such individuals close to young families, schools, a playground and a park?

Mr Blunt: I am very happy to meet my hon. Friend to discuss the individual circumstances of that case. On the face of it, that situation should not have been enabled to happen. There should have been a sensible degree of risk assessment and a proper placement of the individual concerned. I am therefore only too happy to meet my hon. Friend to discuss the details of that case.

House of Lords Reform (Draft Bill)

3.30 pm

The Deputy Prime Minister (Mr Nick Clegg): With permission, Mr Speaker, I wish to make a statement about the Government's plans to reform the other place.

At the last general election, each major party committed to a democratically elected second Chamber. The coalition agreement set out very clearly the Government's intention to deliver that, but the roots of these changes can be traced back much further. A century ago, the Government, led by Herbert Asquith, promised to create

> "a Second Chamber constituted on a popular instead of hereditary basis."

There has been progress in the intervening years—the majority of hereditary peers have gone, and the other place is now predominantly made up of life peers. We should see ourselves as completing that work.

People have a right to choose their representatives. That is the most basic feature of a modern democracy. Our second Chamber, which is known for its wisdom and expertise, is none the less undermined by the fact it is not directly accountable to the British people. I am therefore publishing a draft Bill today, and an accompanying White Paper, which set out proposals for reform.

In the programme for government, we undertook to

> "establish a committee to bring forward proposals for a wholly or mainly elected upper chamber on the basis of proportional representation."

I chair that cross-party Committee, which reached agreement on many of the most important issues—not on all of them, but good progress was made—and those deliberations have greatly shaped the proposals that are being published today. I should like to pay tribute to all members of the Committee, particularly Opposition Members, who engaged with us in an open and collaborative fashion. Let me also thank those individuals whose past work on Lords reform has laid the foundations for what we are doing today, particularly the right hon. Member for Blackburn (Mr Straw) and the right hon. and noble Lord Wakeham. Rather than start anew, the Government have benefited from their previous endeavours. Today's proposals represent a genuine, collective effort over time.

The draft Bill and White Paper will now be scrutinised by a Joint Committee composed of 13 peers and 13 Members of this House. The Committee will report early next year, and a Government Bill will then be introduced.

The Prime Minister and I are clear that we want the first elections to the reformed upper Chamber to take place in 2015. However, although we know what we want to achieve, we are open minded about how we get there. Clearly, our fixed goal is greater democratic legitimacy for the other place, but we will be pragmatic in order to achieve that. We therefore propose an upper House made up of 300 members, each eligible for a single term of three Parliaments. Three hundred is the number that we judge to be right, but this is an art and not a science. In the vast majority of bicameral systems, the second Chamber is significantly smaller. That arrangement helps to maintain a clear distinction between the two Houses. We are confident that 300 full-time Members can cover the work comfortably. We are, however, open to alternative views on that.

The coalition agreement committed the Government to produce proposals for

> "a wholly or mainly elected chamber."

That debate is reflected in what we are publishing today. The Bill makes provision for 80% of Members to be elected, with the remaining 20% to be appointed independently. The 60 appointed Members would sit as Cross Benchers, not as representatives of political parties, and in addition bishops of the Church of England would continue to sit in the other place, but would be reduced in number from 26 to 12. The White Paper includes the case for a 100% elected House of Lords. The 80:20 split is the more complicated option, and so has been put into the draft Bill in order to illustrate it in legislative terms. The 100% option would be easy to substitute into the draft Bill should that be where we end up.

There are people on both sides of the House who support a fully elected Chamber, believing that an elected House of Lords should be just that. Others, again on both sides, take a different view, and support having a non-elected component in order to retain an element of non-party expertise, as well as to keep greater distinction between the two Houses. Personally, I have always supported a 100% elected House of Lords, but the key thing is not to make the best the enemy of the good. That approach has stymied Lords reform for far too long. After all, 80% is a whole lot better than 0%.

Elections to the new reformed House will be staggered: at each general election a third of Members will be elected, or a combination of elected and appointed. That is to prevent the other place from becoming a mirror image of this House. In the Bill we set out how those elections could be conducted using the single transferable vote. The coalition agreement specifies only that the system must be proportional, and what is most important is that it is different from whatever we use in the Commons. That is to ensure that the two Chambers have distinct mandates; one should not seek to emulate the other.

STV allows for that, and would also give the upper Chamber greater independence from party control. Votes are cast for individuals rather than parties, putting the emphasis on the expertise and experience that candidates offer, rather than the colour of the rosette they wear. We want to preserve the independence of spirit that has long differentiated that House from this one. I know that some Members prefer a party list system, including Opposition members of the cross-party Committee I chaired. We are willing to have this debate, and have not ruled out a list-based system in the White Paper.

The Commons will retain ultimate say over legislation through the Parliament Acts, and will continue to have a decisive right over the vote of supply. In order for a Government to remain in office they will still need to secure the confidence of MPs. The other place will continue to be a revising Chamber, providing scrutiny and expertise. Its size, electoral cycle, voting system, and terms will all help to keep it distinct from the Commons and a place that remains one step removed from the day-to-day party politics that, quite rightly, animate this House. What will be different is that our second Chamber will finally have a democratic mandate, and will be much more accountable as a result.

[The Deputy Prime Minister]

Clearly, the transition must be carefully managed. We propose to phase in the reform over three electoral cycles. In 2015 a third of Members will be elected, or a combination of elected and appointed. The number of sitting peers will be reduced by a third, although we are not prescribing the process for that; it will be up to the parties in the other place to decide. In 2020, a further third will come in under the new system, and then again in 2025. There are other ways of staging the transition, however, and the White Paper sets out two of them.

To conclude, history teaches us that completing the unfinished business of Lords reform is not without challenges. Our proposals are careful and balanced. They represent evolution, not revolution, and are a typically British change. I hope that Members from both sides of the House and the other place will help us to get the proposals right. The Government are ready to listen and are prepared to adapt, but we are determined, in the end, to act. I commend this statement to the House.

Sadiq Khan (Tooting) (Lab): I thank the Deputy Prime Minister for advance sight of the statement, and for how he chaired the working group—squaring the views of Lord Strathclyde with those of the rest of us was nothing short of a master class in conflict resolution. I am also pleased to see the Prime Minister here supporting the Deputy Prime Minister. The latter must feel like the manager of West Ham seeing his chairman after the final whistle on Saturday. I hope he has a better outcome than the chairman—I mean the manager—of West Ham had on Saturday.

I agree that our politics and constitution are in need of reform. Like the Deputy Prime Minister's party, Labour had a manifesto commitment to create a fully elected second Chamber. Let us be frank: Lords reform is not near the top of any of our constituents' priorities. They are more interested—[HON. MEMBERS: "Hear, hear."] I am grateful for that support; I am not sure whether the Deputy Prime Minister is. Our constituents are more interested in their schools and hospitals, and whether they will have a job at the end of the year. This is about how we write the laws that affect us, including laws on schools and hospitals, and who writes those laws, so if we are doing it, we have to get it right.

The present situation is unsustainable. The Lords has more than 800 Members, and the Prime Minister intends to pack in another 200, at great expense to the taxpayer—117 have already been added since May 2010—while at the same time cutting the number of elected Members in this House. More unelected, fewer elected—and he calls it progress. I fear that the Deputy Prime Minister will soon realise that the Tories are the real obstacle to reform, just as they were when we were in power.

It is important that we get the details right. The Deputy Prime Minister says that he supports a fully elected second Chamber, yet he is unveiling a Bill today that leaves at least 20% appointed, plus bishops, plus Ministers appointed by the Prime Minister. The Joint Committee will have a built-in Government majority, so the idea of it overturning anything of substance in the Bill by next year is unrealistic. These proposals risk being a dog's dinner, with nobody happy at the outcome—not even the Lib Dem activists, whom the Deputy Prime Minister is trying to appease. After 12 months in office, he has nothing new to say on Lords reform, but is simply putting out proposals that kick the issue into the long grass.

Before the Deputy Prime Minister delegates responsibility for the Bill to the Parliamentary Secretary, Cabinet Office, the hon. Member for Forest of Dean (Mr Harper), who is the Minister responsible for political and constitutional reform, and to Lord Strathclyde, can he answer these 11 questions on the proposals?

Bearing in mind that the country comprehensively rejected the AV system two weeks ago, is the Deputy Prime Minister seriously suggesting that he should impose a system of proportional representation for the second Chamber without consulting the electorate? What powers does he want a reformed House of Lords to have? How will he deal with the conventions that currently govern the relationship between the two Chambers? Does he believe that the relationship should be codified? What role does he envisage for the bishops in the second Chamber, and why 12? Can he set out the cost of a reformed second Chamber? If it is possible that no peers would be forced to leave until 2025, what does he predict the maximum size and cost of the second Chamber will be in the interim? Will he confirm that he wants reform on the statute book by the next election? Will he confirm whether he intends to use the Parliament Acts to force the proposals through? Will he also confirm whether coalition MPs and peers will be whipped to vote for the Bill when it comes out of the Joint Committee? Finally, will he allow a debate on his Bill in Government time before the summer recess?

The Deputy Prime Minister has confirmed by the publication of this Bill just how irrelevant he and his party are in the coalition Government. I am afraid that the Bill, the White Paper and the whole process are a huge anticlimax.

The Deputy Prime Minister: Not only did the right hon. Gentleman fluff the lines at the beginning, he also failed to rise to the occasion. This is an occasion when, for once, he could put aside his sour observations and try to work across parties, as we have in the cross-party Committee, to make some progress not only, I should remind Opposition Members, on something that was in their manifesto—by the way, so was AV, but a fat lot of good that did us all—but on something that we have been discussing as a country for almost 100 years. If that is not long enough, I do not know what is.

Before I turn to some of the right hon. Gentleman's questions, let me address the vital issue, which he has raised once again, about a wholly or mainly elected second Chamber. It would be so much easier to take the right hon. Gentleman's admonitions in favour of 100% seriously if, during the 13 years under Labour, more had been delivered than 0%. Given that the country has been debating House of Lords reform for more than a century and that all three parties made a manifesto commitment on this issue last year, it is crucial not to make the best the enemy of the good. We have set out in the Bill how an 80:20 split would work, and we have maintained the option in the White Paper of moving to 100% if that is what people want. That is exactly what we will submit to the Joint Committee.

Turning to the right hon. Gentleman's questions, the cost is almost impossible to estimate at this stage, without knowing precisely what the final composition of the House of Lords will be or the method of transition from where we are now to where we want to be in 2025. In the Bill, we have proposed a staged election—or election and appointment—by thirds in 2015, 2020 and 2025, alongside a staged reduction, commensurate with that, from the House of Lords as it is at the moment.

Helen Goodman (Bishop Auckland) (Lab): How would you do that?

The Deputy Prime Minister: We will leave it to the House of Lords itself to decide the precise method of reduction by thirds. We have set out two options in the White Paper. One would involve moving to the full reduction of the size of the House of Lords to 300 immediately in 2015; the other would be to do nothing until 2025, which would mean that the reformed House of Lords would have become very large indeed in 15 years' time. We would then make the reduction at that point. Those are exactly the kinds of issues that we will invite the Joint Committee to look at.

I can confirm our determination to see the reform of the House of Lords reach the statute book in time for the elections in 2015. We want to see the first elections to a reformed House of Lords take place in 2015. We will treat this legislation as we treat all Government legislation. This is something to which both our manifestos—in fact, all the manifestos—are committed, and it is clearly set out in the coalition agreement. We will use all the legislative tools at our disposal to deliver on that commitment.

Several hon. Members *rose—*

Mr Speaker: Order. A great many hon. Members are seeking to catch my eye. Brevity is therefore of the essence.

Mrs Eleanor Laing (Epping Forest) (Con): Does the Deputy Prime Minister appreciate that there will be a warm welcome for the fact that he is introducing a draft Bill? We look forward to its being thoroughly scrutinised by the Joint Committee. Will he please explain how the balance of power between the two Houses of Parliament will change when an elected second Chamber competes with this House and its Members for democratic legitimacy?

The Deputy Prime Minister: We discussed this in the cross-party Committee. It is precisely to avoid competition between the two Houses that the Bill and the White Paper propose different systems of election, different geographical constituencies—the Lords would not represent constituencies in the way that we understand in this House—and non-renewable 15-year terms. Bicameral systems in other countries show that, as long as the mandate and the term in one House are very different from those in the other, an asymmetrical relationship can be preserved.

Mr David Blunkett (Sheffield, Brightside and Hillsborough) (Lab): The stated aims of the proposal are clearly legitimacy and accountability. How would an election system that leaves the electorate unable to understand who they have elected add to legitimacy, and how would accountability be aided by 15-year non-renewable terms, during which there would be no power of recall for the electorate? Is it not true that a mandate given to the second Chamber would reduce the mandate of this House?

The Deputy Prime Minister: I remind the right hon. Gentleman that the insight that it is best to have long non-renewable terms in the other place in a reformed House of Lords precisely to avoid such conflict with the other place was not established by the present Government or the cross-party Committee I chaired; rather, it is an idea that has enjoyed consensus from the days of the Wakeham commission onwards. If we look at the proposals from a cross-party group of MPs, which were given considerable support by the previous Labour Government in 2005—the "Breaking the Deadlock" proposals—we find that a preference was made not only for non-renewable terms of between 12 and 14 years, but for the single transferable vote. These are not new proposals: they are drawn from a lot of insights identified by others from all parties in the past.

Simon Hughes (Bermondsey and Old Southwark) (LD): Given that this issue has been on the agenda of Parliament for so long and that reforming the second Chamber is now the settled will of the leadership of all three parties, is not the test of this Bill whether the leadership of those parties makes sure that the democratically elected Members of Parliament prevail in a reform that is long overdue and that the proposals are not derailed by people who are not elected, but are either hereditary or appointed—a completely unacceptable branch of a modern democratic legislature?

The Deputy Prime Minister: I strongly agree with my right hon. Friend in the basic principle that people should be able to hold to account those who make the laws of the land by which the people of this country have to abide. That is a simple democratic principle: it is not new; it is shared by Members of all parties; it is widely recognised as a simple democratic principle across the democratic world. It is interesting to note that there are still people even in this democratically elected Chamber who seem to resist that very principle.

Frank Dobson (Holborn and St Pancras) (Lab): Does the Deputy Prime Minister not agree that a sounder approach would be to decide what we want the House of Lords to do and what its functions should be before we decide how it is made up? Otherwise, we are in the situation of picking the team before we have decided what game it is going to play. Surely if it is to be elected, any self-respecting elected Members of the upper House will not feel themselves bound by the customs and practice that have applied to an unelected Chamber—and we will thus get conflict between this Chamber and the upper Chamber.

The Deputy Prime Minister: We already know the role of the House of Lords—scrutiny and revision. Every time this issue has been examined by a range of cross-party groups—the Wakeham commission was just one of many examples—the same conclusion has been reached: namely, those powers should remain the same and as long as the mandate, the electoral system and the

[The Deputy Prime Minister]

terms of those elected in the other place are different, the basic relationship between the two Houses can remain constant.

Mr Andrew Turner (Isle of Wight) (Con): May I ask the right hon. Gentleman again whether he intends to continue to pursue, in the words of Lord Steel of Aikwood,

> "private obsessions with little public resonance—AV and an elected House of Lords, for example"?

The Deputy Prime Minister: I just do not recognise that. A commitment was made by the hon. Gentleman's party, by the Labour party and by the party I lead and it was set out very clearly in all three manifestos of the main parties, so I do not think it can conceivably be described as a private preoccupation for one politician or another. This is an issue that we have been debating as a country for over a century. A very simple principle is at stake: do we believe, yes or no, that it is a good thing in a democracy for people to be able to hold those who make the laws of the land directly to account? According to our manifestos, all of us believe that that is the right principle; it is therefore right for this Government to try, on a consensual, open and pragmatic basis, to reach agreement so that we can finally put that principle into practice.

Kate Hoey (Vauxhall) (Lab): Most people will agree that the House of Lords has become too large, but that could be changed by all the parties agreeing to stop making so many new Lords. I do not know what happens on the buses in Sheffield and what people on those buses are saying, but I certainly know that people on the Clapham omnibus in my area are not demanding the reform of the House of Lords, as they have many, many higher priorities, yet they must see huge amounts of time, effort and money being wasted on this reform.

The Deputy Prime Minister: Of course I accept that many issues that we discuss in the Chamber, and many issues with which any Government must deal, may not resonate on the doorsteps, but they may none the less be significant and important to our national life. I think we all agree that it is important for world trade rules to work properly, but that is not an issue that is raised with me on the doorstep very often. It is important for us to get local government finance right, and that too is not raised on the doorstep very often, but it is none the less significant and important. The fact that an issue is not raised with us by our constituents does not mean that it is not worthy of debate. If that is not the case, I cannot imagine why Government after Government have debated this very issue for nearly a century

Mr Bernard Jenkin (Harwich and North Essex) (Con): Is this not yet another tatty roadshow brought to us by the same people who thought that the British people wanted the alternative vote? If the Deputy Prime Minister really believes that the British people want this reform—and I note that he makes no criticism at all of the way in which the House of Lords currently does its job—why does he not submit these proposals to a referendum, and let the British people decide?

The Deputy Prime Minister: I remind the hon. Gentleman that last year he fought a campaign in favour of—this was in the Conservative party manifesto—

> "a mainly-elected second chamber to replace the current House of Lords"

without a commitment to a referendum.

Mark Durkan (Foyle) (SDLP): Does the Deputy Prime Minister recognise that Lords reform is essentially a penalty shoot-out in which no one will score, because nearly everyone is opposing nearly everyone else's proposed reforms? If we are to join him in this constitutional version of the fantasy football league, will he tell us whether there will be a limit to the number of Members of the House of Lords who can be appointed by virtue of being Ministers, whether it will be possible for elected Members to be appointed as Ministers, and why there is still discrimination in favour of one Church and England in respect of the Lords spiritual?

The Deputy Prime Minister: Whatever one's views about the Church, it is a fact that it is an established Church, and that is reflected in the composition of the House of Lords. As for ministerial appointments by the Prime Minister, we think it acceptable in principle—and this is another matter that we would invite the Joint Committee to examine—for future Prime Ministers to make supernumerary appointments of Ministers to the reformed House of Lords, but only for the duration of their holding of ministerial office. In other words, there would be a temporary mechanism whereby Ministers appointed by the Prime Minister could be held to account by one or other of the Houses in Westminster.

Mr John Redwood (Wokingham) (Con): What sort of people does the Deputy Prime Minister wish to select for this hybrid Chamber, and why does he think that those skills would be lacking under a fully elected system?

The Deputy Prime Minister: It would not be up to me, or to any members of future Governments, to make such selections. Core to the proposals in the Bill for the model of 80% elected and 20% appointed is the making of appointments by an entirely independent and statutory appointments commission, the process conducted in an entirely open and meritocratic manner.

Mr David Winnick (Walsall North) (Lab): I must tell the Deputy Prime Minister that I have never seen less enthusiasm for a Minister's proposals on the Government Benches. He should have looked behind him.

Being a sporting sort of person—as I am sure he is—would the Deputy Prime Minister be willing to bet me whatever sum he thinks appropriate that his proposed system will not be in place, or anywhere near it, in 2015?

The Deputy Prime Minister: Given that the hon. Gentleman and other Members in all parts of the House fought a general election last year on a manifesto commitment to House of Lords reform, given that, as I explained earlier, we have been discussing it as a country for a very long time, and given our determination in government to see the first step in these changes made in 2015, I am determined to prove the hon. Gentleman wrong.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): I congratulate my right hon. Friend on his modest progress. The plain fact is that an unelected Lords is an illegitimate Lords, and that weakens the Lords and weakens Parliament as a whole. An elected Lords is a strong Lords, and that strengthens Parliament as a whole. Does my right hon. Friend not find it faintly ridiculous that after 13 years of abject failure, the dinosaurs over there are only interested in feather-bedding the dinosaurs upstairs?

The Deputy Prime Minister: I thank my hon. Friend for his remarks, and I agree that the notion that somehow more democracy can weaken a legislature would strike most people outside this Chamber as an extraordinarily peculiar argument.

Liz Kendall (Leicester West) (Lab): Does the Deputy Prime Minister personally believe that there is a case for keeping bishops in the House of Lords, and if so, what is it?

The Deputy Prime Minister: As I said earlier, the Church is an established Church. We have set out proposals in the Bill, however, under which if progress were to be made on a largely elected, but partly appointed, House of Lords, on a supernumerary basis the Church would be represented but on a much smaller scale than we now—*[Interruption.]* The Bill envisages a cut from 26 bishops to 12.

Mr Edward Leigh (Gainsborough) (Con): Will the Deputy Prime Minister remind the House how many other countries elect people for 15 years—and he will have to do better than citing the likes of Papua New Guinea and Fiji this time? Does he not understand that having people there for 15 years will be the worst of all worlds, because they will claim democratic accountability to confront this elected House but they will be accountable to no one?

The Deputy Prime Minister: As I said earlier, the idea that in a reformed House of Lords there should be long non-renewable terms is not new. It has been put forward on numerous occasions before, and with cross-party support. However, if Members feel that is a step too far or the period of time is too long, that is exactly the kind of point on which the Joint Committee should seek to make representations.

Mr Ben Bradshaw (Exeter) (Lab): I welcome these proposals, but may I suggest that the Deputy Prime Minister might have included in his roll call of thanks the late Robin Cook, as it is often forgotten that under his leadership this House narrowly—by just three votes—failed to support an 80% elected Lords back in 2003? The Deputy Prime Minister knows that these proposals will go nowhere unless he is prepared to use the Parliament Acts. Will he now commit to using them if these proposals are blocked in the other place?

The Deputy Prime Minister: As I have said, we are very keen to proceed on as consensual and pragmatic a basis as possible. *[Interruption.]* If I may just finish, we are presenting the Bill and the White Paper today. We hope the Joint Committee will be established before the summer, and it can then do a thorough job of applying pre-legislative scrutiny to the proposals we are publishing today, with a view to our submitting final draft legislation in the next Session. The Bill will be treated in the same way as any other Government legislation. It was part of all our manifestos and features in the coalition agreement, and if we cannot make headway by any other means, we will use all the legitimate instruments at our disposal to get the Bill implemented before the next general election. I agree with the right hon. Gentleman about Robin Cook: I am very happy to recognise that it was an omission not to acknowledge the very significant role played by Robin Cook—and also, dare I say, by the right hon. Member for Blackburn (Mr Straw) and many other Opposition Members, who have for many years argued precisely the case we are seeking to promote today.

Mr William Cash (Stone) (Con): The Deputy Prime Minister will know that the draft Bill states that nothing in these proposals shall affect the primacy of the House of Commons. As nobody else has been able to define what "primacy" means, how does the Deputy Prime Minister propose to define it?

The Deputy Prime Minister: Primacy is clearly set out in the two Parliament Acts, and was also clearly set out in my earlier statement. My view is that the fact of greater election to another Chamber does not in and of itself mean the balance between the two Houses is seriously disturbed. That is confirmed by examples of bicameral systems elsewhere in the democratic world.

Graham Stringer (Blackley and Broughton) (Lab): The Deputy Prime Minister keeps asserting that the conventions will stay the same, but when the other place has 100% elected Senators or Lords and they take a different view from him, how will he assert this House's authority over another elected House?

The Deputy Prime Minister: As I said earlier, I think that the Parliament Acts are very clear on that point.

Mr Mark Williams (Ceredigion) (LD): Does my right hon. Friend see these proposals as a means of empowering the voices of the devolved nations and the English regions? Manifestly, that will be achieved by electing people, rather than hand-picking appointees, in order to achieve balance across the country as a whole.

The Deputy Prime Minister: Clearly, a proportional electoral system, whichever one is finally settled on, would be reflective of opinion across the whole of the United Kingdom, so people across the United Kingdom can look forward to this as providing a greater reflection of opinions the length and breadth of the land.

Mr Nigel Dodds (Belfast North) (DUP): Will the Deputy Prime Minister give an undertaking that the Joint Committee that is to be set up will include representatives from the smaller parties represented in Parliament, unlike the Committee that he set up previously, which brought forward this Bill?

The Deputy Prime Minister: This is clearly not something for the Government to decide; it is up to the usual channels, and I know that a number of conversations have already been had. Clearly, the ambition is—or should be, at least—that the Joint Committee embraces the widest possible opinion from this House.

Dr Julian Lewis (New Forest East) (Con): When asked by my hon. Friend the Member for Epping Forest (Mrs Laing) how one would resolve a clash between the two Houses, the Deputy Prime Minister said, "Well, this is why we are going to have different electoral systems, with proportional representation for the reformed Chamber." Given that he believes that proportional representation is more democratic than first past the post, which of the two Chambers would he believe to be taking the correct decision if there were a clash on the basis that he outlined?

The Deputy Prime Minister: As I said earlier, as is set out clearly under the Parliament Acts and in line with the convention that the Government are held to account primarily by this Chamber, the supremacy of this House would remain.

Angela Smith (Penistone and Stocksbridge) (Lab): I am surprised that the Deputy Prime Minister should be focusing on this issue, given that in the local elections in Sheffield people were bothered only about jobs, inflation and getting his party out of the town hall. However, how can he describe his vision as "representative" or "democratic", given that it would give representation to those who are members of the Church of England but would not give it to those of Jewish faith, Catholic faith or Muslim faith?

The Deputy Prime Minister: The Catholic Church prohibits its bishops from sitting in Parliaments and political bodies. Leaders of other faiths—I was in discussion with the Chief Rabbi just yesterday—also recognise that they do not possess the hierarchies that would allow them to provide that kind of representation. Those leaders of other faiths have long accepted, acknowledged and supported the idea of continued representation of the established Church in this country, even in a reformed House of Lords.

Conor Burns (Bournemouth West) (Con): May I say to the Deputy Prime Minister that it is the view of many on the Government Benches that we did not come to this place to vote for measures that will undermine the democratic supremacy and legitimacy of this House? It is widely known that, as he said in his remarks, he has passionate and long-held views on what should happen to the other place. Others of us have equally strong and passionate opposing views. Why does he seem to be indicating to the House today that he is not going to follow the example of what happened in March 2007 and February 2003, when this House last voted on these measures, and offer everyone in this House a free vote, so that they can vote with their conscience?

The Deputy Prime Minister: Of course I acknowledge that people will have different views, will feel strongly about the matter and will come at it from different directions. The fact is that last year all of us, notwithstanding some relatively minor differences between our manifestos, stood before the British people on manifesto commitments to see reform to the other place finally be delivered. We will of course have further debates, deliberation and argument, not least in the Joint Committee, but this is Government business, this is in the coalition agreement and it is a manifesto commitment from Members in all parts of the House, and it should be proceeded with on that basis.

Mr Dennis Skinner (Bolsover) (Lab): Against the background of events a few days ago when the British people voted by 70% to throw out the alternative vote, has it not yet crossed the Deputy Prime Minister's mind that he has probably been set up by his Tory friends to do this job today?

The Deputy Prime Minister: Never occurred to me, Mr Speaker—never. The hon. Gentleman seems to be suggesting that any electoral change or changes to the electoral system can only be preceded by a referendum. It is worth remembering that we have changed electoral systems in this country on many occasions—for the European Parliament, the London assembly, the Northern Ireland Assembly and the Scottish Parliament—and that the Government are proposing to do it for elected mayors; all without referendums.

Jo Swinson (East Dunbartonshire) (LD): Only a fifth of the current Members of the House of Lords are women yet we still have the anachronism of places effectively being reserved for men in the form of bishops. There might be differences of opinion in this House about the merits of all-women shortlists, but surely we can all agree that in terms of diversity the last thing Parliament needs is de facto all-male shortlists. How will the Government take the opportunity presented by reforming the House of Lords to create a more diverse Parliament that better reflects society?

The Deputy Prime Minister: We cover this in the White Paper. My hon. Friend is right to say that a reform of the other place presents all political parties—and, I must stress, the party I lead in particular—with an opportunity to have greater diversity in those who represent us in a reformed House of Lords. It is primarily for the political parties to decide how they will use the mechanism of a new form of election to ensure that there is greater diversity in the candidates they put forward.

Mr Tom Harris (Glasgow South) (Lab): May I welcome the Deputy Prime Minister's commitment to bringing to House of Lords reform the same golden touch that he brought to the AV referendum? In practical terms, what will a wholly or partly elected House of Lords be able to do that the current House of Lords cannot?

The Deputy Prime Minister: It would fulfil the same function as it has at the moment, but it would do so with far greater legitimacy because it would be more directly accountable. Is the hon. Gentleman seriously proposing that there is something wrong with the argument of principle that those who have a hand in crafting the laws of this land should be directly accountable to the millions of people who have to abide by the laws of this land? I understand that there is a lot of point-scoring going on, but surely that basic principle is something that even he would not deny.

Duncan Hames (Chippenham) (LD): I would like to see every vote cast in our democratic Parliament cast by individuals who have been elected. We should all recognise, however, the widespread respect among our constituents for the spoken contributions made in the other place by Cross Benchers. Has my right hon. Friend or his Committee considered measures by which they could be allowed to stay in the House of Lords so long as the votes were the exclusive preserve of those who had been elected?

The Deputy Prime Minister: Clearly, one of the features of the proposal we are including in the draft Bill—namely, 80% elected Members and 20% appointed by an independent statutory appointments body—is that those appointed Members would sit not as party representatives but as Cross Benchers.

Barry Gardiner (Brent North) (Lab): May I suggest to the right hon. Member that he is confusing legitimacy with accountability? Although election before one takes office might give legitimacy, it certainly does not give accountability. Accountability comes from an election after one has done things over the 15 year period. Will he reflect on that?

The Deputy Prime Minister: I think the hon. Gentleman has some force to his argument, but one thing we were keen to preserve in the cross-party Committee was that any reform should be designed in a manner that would allow elected Members of any reformed House of Lords to retain a certain independence and even distance from party politics. A lengthy non-renewable term was seen as one way of delivering that, not only by the cross-party Committee that I chaired but by many other cross-party Committees that have considered the issue in the past.

Nicky Morgan (Loughborough) (Con): Is it not the case that if Members of the second Chamber are elected on a constituency basis, however big those constituencies are, and members of the public disagree with what their Member of Parliament has advised them, they will inevitably turn to Members of the second Chamber? Is the Deputy Prime Minister not therefore setting up a conflict that members of the public do not want to see?

The Deputy Prime Minister: First, as I said earlier, this House will have the final say—that will remain. Secondly, I think there is a world of difference between the number of people whom we all represent as Members of this House and the hundreds of thousands who would be represented by individual elected Members in any reformed House of Lords. That would be clearly understood by the public as providing a much greater and more direct mandate to those of us in this House than to those elected to the other House.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Can the Deputy Prime Minister confirm that he has had discussions with Scotland's First Minister, Alex Salmond, on Lords reform? Given the wonderful and historic scenes we have seen with our Queen in Dublin this afternoon, should not this Parliament also catch up with the modern world and ensure that in a democracy all Chambers try to reflect the democratic wishes of the people they aim to represent?

The Deputy Prime Minister: I spoke to the First Minister earlier today and explained to him in considerable detail what we are proposing, and we are both agreed that we will continue those discussions in the near future.

Andrew Percy (Brigg and Goole) (Con): I broadly welcome the proposals to elect our second Chamber and I shall certainly be supporting them. We have had some assurances from the Deputy Prime Minister on the incredibly long term in office of 15 years. Two weeks ago, the people of Brigg and Goole on the same day kicked out their Labour council and replaced it with a Conservative council, and voted by a margin of about 70% to reject a change in the electoral system. Is the electoral system also up for discussion along with the multi-Member constituencies? Will the Deputy Prime Minister at least listen to us on that?

The Deputy Prime Minister: As I said, in the draft Bill we have proposed one system—the single transferable vote—primarily because it seems to be the system that gives the fullest individual mandate to elected Members rather than casting them in a party political light. It is the individual independence of spirit in the other place that everyone agrees should be preserved, but there are alternatives. In the White Paper—I know that Opposition Members feel particularly strongly about this—there is the alternative of a party list system, which we have said is available to us, as explained in the White Paper. If that is where the debate takes us, we are very open to those alternatives.

Tristram Hunt (Stoke-on-Trent Central) (Lab): Does the Deputy Prime Minister share the views of his hon. Friend the Liberal Democrat president, the hon. Member for Westmorland and Lonsdale (Tim Farron), that Members elected in a different Chamber by STV will have greater legitimacy than Members of this House? Does he still believe that Members elected in another Chamber will be banned from then standing for election to this Chamber, and is that concordant with the Human Rights Act 1998?

The Deputy Prime Minister: We have looked into the latter point and it is consistent with the Human Rights Act. The draft Bill envisages—this enjoyed cross-party support on the Committee I chaired—that someone from the other place would not be able to stand for election to this place unless they had completed a cooling-off period of one term. Clearly, we do not want to transform the other place into a sort of launch pad for people's careers in this place. The reverse, however, would not be the case.

Tony Baldry (Banbury) (Con): Surely the answer to the points made by the hon. Members for Leicester West (Liz Kendall) and for Penistone and Stocksbridge (Angela Smith) is that the two archbishops and 10 senior diocesan bishops will bring to a reformed House of Lords considerable wisdom and expertise. On the point raised by my hon. Friend the Member for East Dunbartonshire (Jo Swinson) about diversity, I hope that by 2015 the House will have had the opportunity of voting to legislate for the appointment of women bishops.

The Deputy Prime Minister: That is a very important point, which shows that there is a chance of reform on several fronts, not just one.

Susan Elan Jones (Clwyd South) (Lab): The Deputy Prime Minister speaks of supernumerary appointments—a rather complex word. Could it not be interpreted as unelected appointments by a Government who might even be tempted to pack the Lords?

The Deputy Prime Minister: As I specified earlier, all we are envisaging is that if future Prime Ministers wish to appoint Ministers, they must make sure that those Ministers are for the duration of their ministerial office

[The Deputy Prime Minister]

held to account by either this place or the other place, and that one way of achieving that objective, which is to enhance and strengthen the accountability of the Executive to the legislature, is to allow Prime Ministers in a small number of cases to appoint Ministers on a supernumerary basis for a temporary period during the time that they hold ministerial office.

Jesse Norman (Hereford and South Herefordshire) (Con): A reform of the House of Lords is undoubtedly needed, but this is not a reform measure. It contemplates the abolition of the House of Lords and, with that, reduced diversity and reduced expertise in our public life. Why did not the Deputy Prime Minister use this opportunity genuinely to reform the House of Lords by adopting the Bill of the noble Lord Steel, which would remedy many of the deficits that currently exist?

The Deputy Prime Minister: In many respects the provisions of Lord Steel's Bill are in part covered by the proposals that we are putting forward. For instance, one of the central planks of his Bill is that there should be an independent statutory appointments commission. That is exactly what is envisaged in this Bill. Another part of Lord Steel's Bill provides for retirement of existing Members of the House of Lords. That has been taken up by the Leader of the Lords already. I do not think the ideas in Lord Steel's Bill are incompatible with the longer-term reforms that we are proposing today.

Geraint Davies (Swansea West) (Lab/Co-op): How can someone elected for 15 years be democratically accountable if they cannot stand for election again?

The Deputy Prime Minister: As I said earlier, every time that has been looked at on a cross-party basis, the conclusion has been reached that in order to entrench rather than undermine the difference between the other place and this House, it is best to do so by giving any elected Members of a reformed House of Lords a long, non-renewable term so that they are not subject to the normal short-term temptations of party politics, to which some of us might be subject in this place.

Geoffrey Clifton-Brown (The Cotswolds) (Con): May I remind the Deputy Prime Minister and the House that the Japanese recently reformed their upper House from an appointed House to an elected House? That led to a huge loss of talent, a situation where the upper House has a complete veto over most legislation of the lower elected House, and legislative stalemate. Would we not be very foolish to embark on these reforms?

The Deputy Prime Minister: First, I do not accept the principal assertion that if someone has the audacity to stand for election, somehow they do not have talent. That conclusion would not be favourable to anyone in the House. The assumption that wisdom and expertise can be possessed only by those who have not subjected themselves to election is an assumption that I have always found curious. Secondly, the hon. Gentleman refers to what happened in Japan, but he should look at bicameral systems across the democratic world that manage a relationship between one Chamber and the other perfectly well, even though there is election to both.

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op): It is obviously right for a Government to proceed on a basis of consensus, given that this is a major constitutional change and all three parties supported it in their last manifestos, as the Deputy Prime Minister rightly pointed out. I hope that across the House Members will do their best, when scrutinising the Bill, to ensure that it becomes law so that the next elections can take place in 2015, as the right hon. Gentleman suggested. Does he agree that although it is important to proceed on the basis of consensus, there is also a danger that proceeding on too much consensus could lead to the lowest common denominator and a Bill being introduced that no one supports? There is already a danger that it will offend people who want a fully elected House and offend everybody who is not a member of the Church of England. May I suggest to the right hon. Gentleman that one of the lessons of the AV referendum is that if people compromise too far, no one agrees with them and their proposals do not get anywhere?

The Deputy Prime Minister: Of course we need to get the balance right in seeking to get as much support for these measures as possible. Hon. Members should remember that what we have published today was preceded by several meetings of a cross-party committee where although there was not consensus on everything, there was a considerable degree of consensus. I pay tribute to Members on the Opposition Front Bench who played an active and constructive role in that, but as I said in my opening statement, this is a Government measure and the Government are determined to act.

Martin Vickers (Cleethorpes) (Con): Like my neighbour, my hon. Friend the Member for Brigg and Goole (Andrew Percy), I broadly welcome the proposals, which seem to be a natural extension of the democratic process. However, it is important that electors identify with their representatives and the area they represent. People generally do not identify with the English regions. I urge the Government to rule out election by regions and consider election by our historic counties.

The Deputy Prime Minister: We had precisely that discussion in the cross-party committee and, for the exact reason the hon. Gentleman sets out, we believe that the best basis on which to proceed—we will remit the exact details to an independent panel of academics and experts—is to have clusters of counties, because they are, quite literally, a familiar territory and a familiar landscape for millions of voters up and down the country and should be the building blocks of the large constituencies or districts that elected members of a reformed House of Lords would represent.

Caroline Lucas (Brighton, Pavilion) (Green): I welcome the Deputy Prime Minister's statement, but given that a poll released today shows that 74% of people are against unelected bishops having a place in our legislature, including 70% of Christians, and given that expertise and wisdom are not the monopoly of any one religion, will he look again at that aspect of the reform?

The Deputy Prime Minister: I hear the hon. Lady's strength of feeling on the issue and respect it, but the fact is that we have an established Church, which has always been reflected in its representation in the House of Lords. As I said earlier, leaders of other denominations are very supportive of some form of continuation of that representation, even though it will be on a much smaller scale than is presently the case.

Several hon. Members *rose—*

Mr Speaker: Order. I am keen to accommodate remaining colleagues who wish to speak, so I reiterate the merits of economy and self-restraint.

Dr Thérèse Coffey (Suffolk Coastal) (Con): My right hon. Friend was a Member of the European Parliament, which moved from being an appointed body to an elected one and, over time, has demanded more and more powers, reflecting its democratic mandate. He is very consistent in saying that that will not happen in the case of a reformed House of Lords, but how can he build in some assurances to that effect?

The Deputy Prime Minister: Those powers of the European Parliament were ultimately changed because of a negotiation between it and national Governments. The conclusion we have reached, and which several other committees and cross-party commissions that have looked at this in the past have also reached, is that the way to avoid opening that Pandora's box is simply by asserting that the balance of power will remain as it is and as reflected in the Parliament Acts. That is exactly what we are proposing.

Mike Gapes (Ilford South) (Lab/Co-op): The Deputy Prime Minister has clearly had a difficult few weeks. May I give him some advice? I suggest that when he leaves the House today he speeds to the airport and gets a plane first to Sweden and then to New Zealand so that he can see how effective unicameral Parliaments work, and then he can come back with a different proposal.

The Deputy Prime Minister: I think the hon. Gentleman is suggesting that we should come forward with a proposal to abolish the other place altogether.

Mike Gapes *indicated assent.*

The Deputy Prime Minister: That would probably meet an even more noisy reception than the balanced package that we have put forward today.

Andrew George (St Ives) (LD): Would my right hon. Friend like to state clearly for the House what he believes the primary purpose of the second Chamber to be? Following the previous question, if the second Chamber did not exist, would he seek to create one?

The Deputy Prime Minister: The House of Lords now, and a reformed House of Lords in the future, would fulfil its task of review and scrutiny of Government business and Government legislation. I am not a unicameralist, although a good case can be made for it and, as was mentioned earlier, there are plenty of mature democracies that have only one Chamber. However, I believe that the checks and balances in a mature democracy are best met by two chambers.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): It will seem very strange in the 21st century for only one faith and one Church to be represented in the reformed House of Lords, bearing in mind that that Church represents only England and not Scotland and the other nations of the UK. Will the right hon. Gentleman give consideration to the national Church of Scotland and other churches and faiths being included in some way, which I think is very important?

The Deputy Prime Minister: I sought to answer those concerns earlier. What we are trying to do—it is not an easy balance to strike—is to introduce reform while maintaining a certain degree of continuity with where we have come from. That is why we arrived at the decision—I stress again that it was arrived at on a cross-party basis in the Committee that I chaired—that it was best to leave things broadly as they are but, as I have said, on a much smaller scale: 12 representatives in future, rather than 26.

Bob Stewart (Beckenham) (Con): How can those elected to the other place remain, to quote the Deputy Prime Minister, "one step removed from…day to day party politics", when every third election Members of the second Chamber will compete for votes with all of us in our constituencies?

The Deputy Prime Minister: That is a rather good argument for the case, which was criticised earlier, of non-renewable terms: such Members will not stand again or, of course, in the same constituencies. We will have constituencies—certainly, after the boundaries are changed—where each of us represents just over 70,000-odd; they will seek to represent half a million-odd. It will be a completely different contest, held on a different mandate, under a different system, for a different term, and I believe that millions of British voters will be easily able to distinguish between one and the other and to keep the two separate in their own minds.

Steve McCabe (Birmingham, Selly Oak) (Lab): I think that this is the wrong priority at the wrong time, but if the Deputy Prime Minister is confident that we need another constitutional adventure, why does he not test whether that is the will of the House?

The Deputy Prime Minister: The final Bill, which we will bring forward after it has been subject to pre-legislative scrutiny by a Joint Committee of the two Houses, will come to this House for a vote.

Steve McCabe: Now. I mean now.

The Deputy Prime Minister: The hon. Gentleman says "now", but we have been criticised in the past for pushing forward with changes too quickly and not subjecting them to sufficient scrutiny. What we are doing now is moving very deliberately, very methodically and as consensually as possible, presenting a Bill with our best guess of what would work legislatively; keeping the options on some key issues open in the White Paper; and then inviting a cross-party Joint Committee to subject that to full scrutiny in the months ahead. I do not think that we can be criticised either for moving too fast or for seeking to escape from proper scrutiny.

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): Does my right hon. Friend agree that the hereditary principle is wrong in principle? Whatever comes out of these reforms, will he ensure that people do not take

[Dr Daniel Poulter]

part in the democratic process as a right of birth, and that people should be either elected or appointed to that Chamber?

The Deputy Prime Minister: That is exactly what we propose: that either by election or appointment, but not by heredity, people will be represented in a reformed House of Lords.

Fiona Mactaggart (Slough) (Lab): As someone who wishes the Deputy Prime Minister well in this effort, may I ask him, first, why he believes that the Parliament Act, which, unlike the written constitutions that other bicameral countries have, is not entrenched, will prevent conflict between this House and the other place? Secondly, what are his specific proposals to reduce the risk of conflict between Members who are elected for the same territory? Has he looked at non-geographic constituencies for the other place?

The Deputy Prime Minister: The idea proposed in the Bill—again, I really should stress that this is not some sort of new idea but a repetition and a re-presentation of an idea that many people have proposed in the past—is that the geographical mandates are so different that any meaningful overlap cannot really occur. The hon. Lady refers to the Parliament Act, but the Parliament Acts are there to resolve conflicts where they become firmly entrenched, and we believe that the provisions of the Parliament Acts should remain in place.

John Stevenson (Carlisle) (Con): I just want a little further clarification on a question that one of my hon. Friends raised. Is it intended that elections to the new House of Lords will coincide with general elections? What will happen if the date of a general election drops out of the five-year cycle?

The Deputy Prime Minister: Yes, the idea is that they should be held on the same day if, for exceptional reasons, there were to be a change in the fixed rhythm that we are seeking to enshrine in the Fixed-term Parliaments Bill. We have set out provisions in the Bill and the White Paper to ensure that there is at least a minimum period during which elected Members of a reformed House of Lords could continue to serve.

Bill Esterson (Sefton Central) (Lab): Constitutional reform is not a priority of my constituents; they showed that, not least, in the AV referendum result recently, as did many others. I wonder why the Deputy Prime Minister is so keen to keep appointed Members of the new Chamber. Is it perhaps because he knows that it is the only way of getting Lib Dems elected back into Parliament after the next election?

The Deputy Prime Minister: That is a rather tired point to make at this stage of the debate. I agree that it is not a priority, but the hon. Gentleman none the less made a commitment to a referendum on the alternative vote and, indeed, to reform of the House of Lords. He shakes his head, but let me read out to him this commitment from the Labour manifesto:

> "At the end of the next Parliament one third of the House of Lords will be elected; a further one third of members will be elected at the general election after that. Until the final stage, the representation of all groups should be maintained in equal proportions to now."

We are introducing that idea of making changes by thirds in the draft legislation that we have proposed. I hope that he would welcome that instead of trying to make somewhat feeble political points.

Mr Andrew Love (Edmonton) (Lab/Co-op): With a democratic Chamber having been endorsed in all three major political parties' manifestos, and indeed appearing in the coalition agreement, what reassurance can the Deputy Prime Minister give to this House that he will do everything he possibly can and use every possible mechanism to ensure that we have the first elections to the second Chamber in 2015?

The Deputy Prime Minister: I can certainly give the hon. Gentleman that assurance. I have sought to explain that we are determined to act to ensure that the first elections to a reformed House of Lords take place in 2015, but not for want of trying to create genuine cross-party consensus on the way to proceed. That is why we held the meetings of the cross-party committee and why we are putting the Bill and the White Paper out to the wider scrutiny of a Joint Committee. There is ample opportunity for everyone to make their contributions, but, as he rightly implies, at the end of the day this Government must act and will act.

Kevin Brennan (Cardiff West) (Lab): As the Deputy Prime Minister headed off towards the high savannah with his bag of fudge, was he at all worried by the sound of tumbleweed blowing behind him as he spoke? Why did he not have the guts to go for a proposal that I believe in, and that he really believes in, which is a 100% elected second Chamber with no prime ministerial cronies and no assisted places scheme for Anglican bishops?

The Deputy Prime Minister: Of course there is a compelling case, for which I have argued for a very long time, for a fully elected House of Lords. However, anyone who takes even a cursory look at the unhappy history of attempts to reform the House of Lords will conclude that one of the great problems occurred when people reached too far and made the best the enemy of the good. It would be much easier to take seriously the hon. Gentleman's rather pious admonitions in favour of 100% if he had delivered more than 0% of elections in the 13 years when his party was in power.

Gavin Shuker (Luton South) (Lab/Co-op): I welcome the broad thrust of the Deputy Prime Minister's statement, the draft Bill and the White Paper, but ask politely whether the only 80:20 split that is of any significance to the success of this legislation is the 80:20 split on the Benches behind him, with 80% against his proposals and 20% in favour.

The Deputy Prime Minister: As I said, all the parties' manifestos are committed to reform of the House of Lords. They differ slightly, but they are all based on the simple principle that there would be a stronger, better, more legitimate Chamber doing its work on behalf of the British people more effectively if there were greater democratic accountability—and that is exactly what we are proposing. However, I acknowledge that the debate should now continue by way of the Joint Committee.

Mr Dave Watts (St Helens North) (Lab): Given that recent events demonstrate that the British people want to retain first past the post, why is the Deputy Prime Minister insistent that the second Chamber will not be elected under that system? Could it be because it is in his party's interests?

The Deputy Prime Minister: No. It really is worth looking at the history of the cross-party commissions and Committees that have considered this matter in the past, which by the way have been chaired by politicians from all the major parties. Almost all of them came to the conclusion that if we want to retain the precious difference between one House and the other, it should be reflected in a different electoral system.

Mr William Bain (Glasgow North East) (Lab): How sustainable does the Deputy Prime Minister believe it is to create a hybrid Chamber with two classes of Member, one in five of whom will be present without the approval of the electorate? Would it not be much more sensible and durable to create an entirely elected second Chamber?

The Deputy Prime Minister: As I said earlier, I have a lot of sympathy in principle with the argument for a wholly elected Chamber. However, I disagree with the hon. Gentleman because there is not much experience to support his case. Holyrood shows that elected representatives who have different mandates—in this case there would be elected and appointed representatives—are none the less able to co-exist and to do a job collectively on behalf of the British people.

Fourth Carbon Budget

4.41 pm

The Secretary of State for Energy and Climate Change (Chris Huhne): Today I am announcing that the Government propose to set an ambitious target in law to reduce greenhouse gas emissions in line with the advice from the independent Committee on Climate Change.

Signing up to an ambitious fourth carbon budget will result in no additional costs to consumers during this Parliament. We will, however, undertake a review of progress in early 2014 to ensure that our carbon targets are in line with those of the European Union. We are working up a package of measures, to be announced by the end of the year, to help energy-intensive industries adjust to the low-carbon industrial transformation while remaining competitive.

By agreeing to the level proposed by the Committee on Climate Change, we are demonstrating our desire to drive the changes needed to turn the UK into a dynamic, low-carbon economy that is attractive to investors in the new and growing low-carbon sectors. We are also sending a clear signal to the international community that the UK is committed to the low-carbon economy. That will help us to reach agreement in Europe on moving to a 30% emissions reduction target and build momentum towards a legally binding global climate change deal.

The Climate Change Act 2008 sets a target to reduce greenhouse gas emissions in the UK by at least 80% from 1990 levels by 2050. It also requires Governments to set carbon budgets, which are limits on greenhouse gas emissions in the UK for consecutive five-year periods. Carbon budgets must be set at least three budget periods in advance. They are designed to put emission reductions on an appropriate and cost-effective pathway to our 2050 target. The first three carbon budgets were set in 2009, following advice from the independent Committee on Climate Change. The fourth carbon budget, which sets the limit on emissions for the five-year period from 2023 to 2027, has to be set in law by the end of June 2011.

As advised by the Committee on Climate Change, the level that we propose setting in law would mean that net emissions over the fourth carbon budget period should not exceed 1,950 million tonnes of carbon dioxide equivalent, which is a 50% reduction from 1990 levels. As required by the 2008 Act, once the fourth carbon budget has been set in law, we will publish a report setting out the policies and proposals required in the medium and long term to meet the budget, building on the strong foundation provided by our existing policies. That will take the form of the revised Government carbon plan later this year, following the publication of the interim version in March.

The Committee on Climate Change advised that we should aim to meet the budget through emissions reductions in the UK, rather than by relying on carbon trading, such as under the EU emissions trading system or the purchase of international credits from projects abroad. We will aim to reduce emissions domestically as far as is practical and affordable, but we also intend to keep our carbon trading options open, to maintain maximum flexibility and minimise costs in the medium to long term. Given the uncertainty involved in looking so far ahead, that is a pragmatic approach.

[Chris Huhne]

Under the Climate Change Act, emissions reductions by the UK's industrial and power sectors are determined by the UK's share of the EU emissions trading scheme cap. That protects the UK industrial and power sectors from exceeding EU requirements. However, if the EU ETS cap is insufficiently ambitious, disproportionate strain could be placed on sectors outside the EU ETS, such as transport. To overcome that problem, and to provide clearer signals for businesses and investors, the Government will review progress towards the EU emissions goal in early 2014. If at that point our domestic commitments place us on a different trajectory from the one agreed by our partners in the EU under the ETS, we will revise up our budget as appropriate to align it with the actual EU trajectory. In line with the coalition agreement, the Government will continue to argue for an EU move to a 30% target for 2020, and for ambitious action in the 2020s.

As part of the transition to a low-carbon economy, we need to ensure that energy-intensive industries remain competitive and that we send a clear message that the UK is open for business. Before the end of the year, we will announce a package of measures for the energy-intensive businesses whose international competitiveness is most affected by our energy and climate change policies. Rising electricity costs pose a risk to those businesses' sectors, which are critical to our growth agenda. We will therefore take steps to reduce the impact of Government policy on the cost of electricity for those businesses, allowing them to continue to play their part in delivering our green industrial transformation. In that way, we will ensure that those sectors remain internationally competitive and send a clear message that the UK is open for business.

It is important to stress that the UK's existing policies already put us on track to meet the first three carbon budgets. They also provide a strong foundation for the fourth carbon budget, implying no additional near-term costs. We are reforming the electricity market, making homes and businesses more energy-efficient through the green deal, ensuring that new homes are built to a high energy efficiency standard, encouraging the uptake of ultra-low carbon cars and setting up a green investment bank.

Meeting the 1,950 million tonnes target that we propose for the 2023 to 2027 period is ambitious but achievable. By providing long-term clarity for investors, the fourth carbon budget places the UK at the leading edge of the global low-carbon industrial transformation. It will set Britain on the path to green growth, establish our competitive advantage in the most rapidly growing sectors of the world economy, generate jobs and export opportunities in those sectors, maintain energy security and protect our economy from oil price volatility. It is a framework not just for action on climate but for growth and prosperity.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I thank the right hon. Gentleman for early sight of his statement this afternoon. May I make it very clear that we welcome the fact that the Government have finally made a decision on the fourth carbon budget? We know that it has been a rocky week for him, as his colleague the Business Secretary sought a very different decision on this issue. We also know the many battles that he has lost within Government on the green agenda, so I congratulate him on this progress. I welcome the fact that he has not, after all, ducked the chance to answer questions on this important matter and is here before the House today.

I need to pick up on a point that the right hon. Gentleman made. He talked about our being on track to meet the first three carbon budgets, but I do not really think that is thanks to the current Government. We have seen a go-slow from him on green progress. Can he reassure us that he, the Treasury and the Business Secretary are united in delivering on these challenging targets? Can he be sure that he at least has the support of the Prime Minister?

The importance of this decision cannot be overstated, and I shall not repeat what the Secretary of State clearly laid out on the rationale behind the Climate Change Act 2008, which was established under the previous Government. However, I am puzzled about the 2014 review that he announced, because it introduces new uncertainty for those investing in the country's greener future and breaks with the five-year cycle. He has already failed to provide business certainty by delaying the green investment bank and pulling the rug from underneath the solar industry. It is therefore essential that the scope of that review is clarified so that it does not do the same.

With those budgets now agreed, the Government must deliver on policies to meet them. As I have said, we have seen over the course of this year the Government failing to deliver on their green promises. The long-awaited green investment bank is unable to borrow till 2015—no rush there!—and it is the subject of yet more disagreements. Confidence in the renewables sector was shaken by a hasty and ill-conceived revision of the feed-in tariff, and of course, the commitment to zero-carbon homes was scrapped with no notice.

The right hon. Gentleman's confidence in his record belies the facts. He needs to focus on his Department and on the detail of this agenda, which is very important to the future not just of the UK, but of the world. For the UK to meet those targets, we need a clear plan from the Government. The right hon. Gentleman talked about a strong foundation, which we need, but he needs to get real and to deliver on that.

We cannot meet our targets without a major reduction in domestic emissions. It is therefore critical that the Government make the improvements to the Energy Bill that the Opposition have demanded. Most importantly, they need to be clear on what carbon reductions the green deal will deliver, which, as we said last week, cannot be left to the market to decide.

Policy needs to be joined-up if we are to have the green industrial revolution that this country needs. We are clear that there is cross-party agreement on the carbon-reduction trajectory, but I should like to ask a few detailed questions of the Secretary of State. What will be the purpose and scope of the 2014 review, which I have already highlighted? Is there a prospect that the Government will weaken the targets that he announced today, or is he suggesting that they can only be tightened? What are the Department of Energy and Climate Change and the Department for Business, Innovation and Skills doing to support energy-intensive industries? When will he have more detail on that? He alluded to that, but we need more detail.

Will the Government introduce clearer aims for the green deal, so that we can be clear on how it will contribute to the necessary emissions reductions? When will we see the national policy statements, including on nuclear? Will that happen before the summer? When will the revised carbon plan be published? Will the Secretary of State and his Department consult widely on that?

After scrapping the grant funding for wave and tidal—we still await the renewables obligation certificates review—how will the UK gain a competitive edge in wave and tidal energy, in which we should be groundbreaking? Will the Secretary of State introduce an accelerated timetable for the trial and deployment of industrial-scale carbon capture and storage for coal and gas?

Does the Secretary of State agree with the Committee on Climate Change that we need to be more explicit in our support for new nuclear and onshore wind? Finally, what plans do the Government have for introducing road pricing, as suggested by the Committee? Has he consulted the Transport Secretary? Is that a policy for the next Parliament, or is there an urgent need to legislate for vehicle use now?

Chris Huhne: Perhaps I would be forgiven for wondering whether the hon. Lady and I have been living in the same country for the past few years. Given the picture that she is painting of policies that have been put in place to deliver on carbon budgets, she should perhaps remember that our inheritance after 13 years of the previous Labour Government is that our renewable sector is 25th out of 27 EU member states. That is not a record of which the hon. Lady can be proud. As for efforts to be made, for example, on energy efficiency, it took this Government to introduce the Energy Bill, which legislates for the green deal, which is the most comprehensive attempt to deal with energy saving in future.

Since the hon. Lady asked, I can assure her that the carbon budget has been approved unanimously by the Cabinet and has the support of the Business Secretary, the Chancellor and the Prime Minister. It is an important commitment by the Government, because it is the first commitment beyond the period for which the EU has legislated. Unlike the previous Labour Government's three carbon budgets, this one goes beyond what the EU requires of us. We have set it according to our own domestic legislative framework and with our own domestic legislative agenda.

The 2014 review will be simple and clear. On the traded sector, which is crucial to our international competitiveness, we will review what is happening in the rest of the EU, because it is appropriate that we move at the same pace as the sector there. The hon. Lady mentioned that the green investment bank can borrow in 2015, which is crucial because the second part of this decade will see the greatest need for borrowing powers to ensure the installation of renewable and other low-carbon energy. I am astonished by her description of what has happened so far under this Government. We have set aside more than £800 million for a renewable heat incentive, and we are legislating for a carbon price floor.

Despite the Opposition's warm words, in 13 years of a Labour Government not a single piece of turf was turned in order to install a single new nuclear reactor, yet work has already begun at Hinkley Point. The sense of urgency in dealing with the climate change challenge displayed by this Government is of an entirely different order of magnitude. On clean coal and gas, about which the hon. Member for Bolsover (Mr Skinner) and some of his friends are particularly concerned, the Government, in an extremely tough and difficult expenditure round in which we have to clear up the mess inherited from the Labour party, found £1 billion to set aside for the first commercial-scale carbon capture and storage project. In 13 years under Labour, no money was put aside and no planning was done for low-carbon growth.

We will proceed with our national planning statements, and there will be an interim review by the nuclear regulator, Mike Weightman, which I anticipate coming shortly. The hon. Lady asked a detailed question about road pricing. We have made it clear already that there will be no plans for that in this Parliament. I repeat, however, that we are set on a road that will unlock enormous opportunities for British business, with a low-carbon economy and high growth.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. I ask hon. Members to respect the convention that they do not question the Secretary of State if they were not here for the entirety of his statement.

Mr Tim Yeo (South Suffolk) (Con): This is a most welcome decision by the Government. Does my right hon. Friend agree that there are considerable potential economic advantages for Britain in leading the world towards a lower carbon economy? Does he further agree that, although it is understandable that the Government should wish to retain the option of purchasing credits in order to achieve the target, the sooner that option is ruled out, the greater the incentive will be for British business to invest in low-carbon technology?

Chris Huhne: I very much agree with the hon. Gentleman, the Chairman of the Energy and Climate Change Committee, who has made a powerful case in the past for a low-carbon economy. This is no longer a set of cottage industries. We are talking about a sector of the British economy that employs 910,000 people, which is growing extremely rapidly in a major world market, and which offers us enormous opportunities. I have no doubt that to those who move first and furthest will come the great advantages of the low-carbon economy. On the point about purchasing credits, having in a misspent youth practised economic forecasting and knowing about the difficulties of getting forecasts right one or two years in advance, I think it makes pragmatic sense to preserve a little flexibility when looking ahead as far as 2023-27.

Joan Ruddock (Lewisham, Deptford) (Lab): We are on track to meet our first three carbon budgets because of the policies put in place and pioneered by the Labour Government. The right hon. Gentleman is yet to deliver on any of his flagship policies. When he speaks of renewables, does he not have some concern about the

[Joan Ruddock]

Ernst and Young report showing that only 13% of UK-based corporates, financiers and clean-tech companies believe that the coalition will create an environmental success this year?

Chris Huhne: I am grateful to the right hon. Lady for her question. She has followed this area for many years and has enormous expertise in it. However, if she is going to claim the credit for meeting the current carbon budget on the back of the previous Government's record, she should be aware that an important contributor to the 28% reduction in our carbon emissions since 1990 has been the depth of the recession. I am glad that she is at last owning up to the impact that those on the Opposition Benches had on our economy. On the Ernst and Young report, we are determined to set a framework that provides certainty and clarity for investors, and we will do so particularly with the electricity market reform that we shall be announcing later.

Mr John Redwood (Wokingham) (Con): How exactly does the Secretary of State propose to ensure that the glass and ceramics, and steel and chemicals industries, which are high energy users, are not damaged by the taxes and regulations that he is proposing today?

Chris Huhne: I am grateful to the right hon. Gentleman for his question. The energy-intensive work group that we have set up between my Department and the Department for Business, Innovation and Skills will come forward with a set of measures by the end of the year. That is a clear commitment. As he knows, there are a number of ways to help energy-intensive industries, including the free allocation of units under the EU emissions trading scheme and encouraging a move towards the use of biomass and biofuels, for example. We are looking at all those measures to ensure that we can balance the concerns of the energy-intensive industries as well as make substantial progress towards the low-carbon economy.

Malcolm Wicks (Croydon North) (Lab): The climate change targets that the last Parliament legislated for were arguably the most ambitious thing that any Parliament in this country has ever legislated for. I certainly welcome the broad thrust of the coalition Government's proposals today, even if the Secretary of State failed to understand that turning over turf during his term of office depended on four years of preparatory work, which I am happy to discuss with him.

Many of the goods that we consume in Britain used to be manufactured in Britain. They are now manufactured in places such as China, thereby producing carbon emissions, and then imported into this country. Those carbon emissions in China and elsewhere occur only because of demand from western societies such as ours. Given that we are talking about a global phenomenon, does the Secretary of State have any ideas for how Europe as a whole can use its influence to bring about appropriate carbon reduction policies in places such as China, India and elsewhere?

Chris Huhne: The right hon. Gentleman's question is an interesting one, as I would expect, given his background as an Energy Minister and his expertise in this field. Wherever one goes in the world, people will say that everyone else is working much less hard on the low-carbon agenda than they are. That is the prevailing myth. I was recently speaking to my counterpart in Australia, who said that the entire debate there is about how only the Australians are dealing with climate change and no one else is. The reality is that enormous progress is being made on this agenda right across the board, including in India and China. The five-year plan that the Chinese have just established is enormously ambitious. Six of the largest renewables companies in the world are now Chinese. The Chinese are making an enormous commitment to offshore wind, as well as in more conventional sectors such as nuclear. They are now the dominant player in solar photovoltaics, having taken the lead from Germany, so I simply do not accept that this is a world where we are moving ahead of other people. We are moving ahead together, but it will be the people who move furthest and fastest who get the best prizes.

Laura Sandys (South Thanet) (Con): Will the Secretary of State confirm that, when he publishes the plan in the next couple of months, it will include an industrial plan that supports the green economy, not only in the energy sector but right across the manufacturing sector in areas such as white goods manufacturing and the production of electric cars? Will he also ensure that his Department and BIS provide the support to ensure that we have all the necessary skills and investment?

Chris Huhne: My hon. Friend makes a good point, and I know that it is a heartfelt one because of her commitments to her constituency. I remember her being present when I opened the wind farm off Thanet. There will be enormous opportunities as a result of our proposals. We set aside £60 million for port transformation in the comprehensive spending review, for example, and we now have some substantial commitments of interest, including from Mitsubishi in Scotland, from GE and from Siemens in Humberside. Vestas is also talking about an area close to my hon. Friend's constituency in Kent. I believe that we will see an enormous amount of investment in those crucial industries. Our carbon plan will focus on meeting our carbon objectives, but the work that BIS, in particular, is doing to lead the charge for the carbon economy is very important, and I am backing it completely.

Barry Gardiner (Brent North) (Lab): I congratulate the Secretary of State on stepping up to the plate on this issue; it is really good that he has established that it is he, and not the Business Secretary, who is in the driving seat. I want to ask him about long-term clarity for investors. He mentioned that that was key, but he will appreciate that those wishing to invest in gas now risk seeing their investments stranded after 2025. It is extremely important, when addressing that question, that he review the proposals on electricity market reform to ensure that those investments can be maintained.

Chris Huhne: We have every intention of ensuring security of supply, and gas will perform an important role in that regard, in the short run and in the medium run. Given the worldwide potential for the exploitation of unconventional gas from shale and other formations, it might well be the case that gas will play a long-term part in our energy mix as well, through clean coal and gas, and carbon capture and storage. I take the hon. Gentleman's point on board, however, and we will not have stranded assets of the kind he describes. We will be introducing our proposals in the White Paper on electricity market reform.

Andrew George (St Ives) (LD): I warmly welcome my right hon. Friend's statement to the House today, and his commitment to ensuring that the UK will be the first country in Europe to have legally binding emissions targets beyond 2020. Further to the point raised earlier by my hon. Friend the Member for South Thanet (Laura Sandys), what can his Department do to ensure that the green growth industries are able to take full advantage of the opportunities that this statement and the Government's policy will provide?

Chris Huhne: We are determined that there should be enormous growth opportunities for low-carbon goods and services in the UK, and I would like to highlight two things that our Department can deliver. The first is the certainty required to enable investment in the replacement of ageing power plant that we will need over the next 10 years. Ofgem has estimated a figure of £200 billion, which is roughly double the normal level of investment in the UK, so this will be important in powering the recovery over the next few years. The second is the provisions in the Energy Bill, the Second Reading of which took place last week. The green deal, which is set out in the Bill, will provide the opportunity for an enormous number of new jobs. We calculate that we will move up from the present figure of 27,000 jobs in the insulation sector to 100,000 by 2015 and that, at its peak, the policy will result in 250,000 jobs right across the industry, which will have to retrofit every home in the country. My hon. Friend is absolutely right to highlight the enormous job-creating potential for these industries, and we will keep that matter very much in the forefront of our minds.

Dr Alan Whitehead (Southampton, Test) (Lab): I congratulate the right hon. Gentleman on coming out on the right side of the scrap in Cabinet over the fourth carbon budget. Does he accept, however, that according to the Climate Change Act 2008, a fourth carbon budget with a review in 2014 will not really be a fourth carbon budget in law? Can he confirm that a review in 2014 would not change the law as far as the fourth carbon budget was concerned? If that is the case, why should there be a review?

Chris Huhne: The key point of having a review is to make sure that in the tradeable sector, where we have industries exposed to international competition—and we want them to thrive—industries are not exposed to unique costs that will not be imposed on the competition in the EU. That is what the review is designed to achieve. Under the Act, any review will have to be preceded by a recommendation from the Climate Change Commission—and we have absolutely no plans to change that, so it will depend on recommendations from that commission.

Christopher Pincher (Tamworth) (Con): I welcome my right hon. Friend's ambitious announcement. I remind him that in evidence to the Energy and Climate Change Select Committee, Lord Turner said that our carbon targets might lead to an appreciable increase in domestic energy prices. I urge the Secretary of State to roll out the green deal with all speed to ensure that any domestic energy price increase is offset by the energy saving elements of that green deal.

Chris Huhne: I can assure my hon. Friend that we in the ministerial team are absolutely committed to low-cost, affordable electricity. The last assessment the Department made—at the time of the annual energy statement, and we will make another at the next such statement—is that the overall impact of our policies, including energy saving and the effects that my hon. Friend mentioned, will add 1% to the cost of household energy bills in 2020. As it happens, that was posited on a world oil price of $80 a barrel. As he knows, the oil price has moved substantially beyond that. With oil prices and associated gas prices higher than $100 a barrel, our estimate is that our policies will save money for the British household. I am not saying that British households will not face increases in the cost of gas and electricity in future; what I am saying is that the policy mix of energy saving and low-carbon electricity generation will give a better deal to British households than would reliance on imports of variable fossil fuels from volatile parts of the world.

Mr Michael Meacher (Oldham West and Royton) (Lab): Does the Secretary of State accept that purchasing carbon offsets abroad as a means of meeting carbon emission reduction targets in the UK is deeply flawed on grounds of additionality, leakage and uncertain duration and that, in any case, they do not achieve the ostensible objective of decarbonising Britain? What precise proportion of the 29% cut in carbon emissions planned between now and 2027 do the Government intend or expect to be achieved via carbon offsets?

Chris Huhne: I can assure the right hon. Gentleman that we intend to try to meet all the reductions we have set out from our domestic activity. That is the clear intention of setting out the fourth carbon budget as we have. However, given the enormous uncertainties of making projections so far in advance, it would not be sensible for us to rule out the flexibility afforded by carbon trading at the relevant time.

Tony Baldry (Banbury) (Con): If my right hon. Friend is going to meet these targets by reducing emissions here, it will mean reducing a lot of emissions from domestic housing. Will he give us more information about how he is going to achieve that with existing housing, and what exactly does he mean when he talks of ensuring that new homes are built to a high energy efficiency standard? What is a high energy efficiency standard in relation to zero carbon?

Chris Huhne: My hon. Friend knows that the lead Department on zero-carbon homes is the Department for Communities and Local Government. It has set out its thoughts on this issue. I am pleased to see that we intend to continue with the substantial improvement in energy efficiency standards in the 2013 and 2016 building regulations. On that basis, we will move quickly towards a zero-carbon homes standard, which will make a major contribution to meeting our long-term carbon reduction goals of 80% by 2050.

Caroline Lucas (Brighton, Pavilion) (Green): I welcome the Government's acceptance of a 50% emissions cut by 2025, but like others I am deeply concerned that behind a headline that looks so good in theory is something that risks being a sham. In reality, a significant proportion

[Caroline Lucas]

of the reduction will be happening in other countries. What impact does the Secretary of State expect that to have on the "green industrial transformation" that he says that he wants? Such a transformation will not happen if we pay other countries to do the work for us.

Chris Huhne: I can add very little to what I have already said to the right hon. Member for Oldham West and Royton (Mr Meacher). We are, in fact, dealing with a period that is very far off—well beyond the normal range of economic forecasting—and it is sensible for us to exercise a measure of flexibility in the way in which we achieve our aim. However, I can assure the hon. Lady—as I assured the right hon. Member for Oldham West and Royton—that we intend to meet this budget from our domestic activity. That is absolutely in line with everything that I have said about encouraging low-carbon goods and services.

The hon. Lady should also bear in mind that even the flexibility that is afforded by trading will be limited by the existence or otherwise of far cheaper opportunities to ameliorate the position by mitigating carbon emissions outside the country rather than inside it. I believe that the more we invest in the industries that I have mentioned, and the more "learning by doing" that we do, the greater will be the chance of our meeting our targets entirely from domestic activity, which is what we intend to do.

Zac Goldsmith (Richmond Park) (Con): I strongly welcome the statement. What contribution does the Secretary of State think demand-side measures are likely to make in a reformed electricity market, particularly given the focus on negawatts?

Chris Huhne: The concept of negawatts is very important. Let me explain to those who have not followed the debate that it means we should be able to trade into the electricity system savings in energy and not merely electricity generation. That concept is part of the consultation that we are currently considering about electricity market reform, and I believe that it will be a crucial part of our reform proposals. There are several different aspects, but I am sure the hon. Gentleman will not be disappointed when he sees the results.

Simon Danczuk (Rochdale) (Lab): The proposals on climate change are extremely important. Can the Secretary of State assure the House that they will receive his full attention over the coming days and weeks?

Chris Huhne: I can indeed.

Sajid Javid (Bromsgrove) (Con): The strategy announced today contains a "ripcord": the targets will be reviewed in 2014 if they prove to be more aggressive than those of our European Union partners. Does my right hon. Friend agree that that will be important to energy-intensive industries in Britain which are themselves important to our future prosperity and the creation of jobs?

Chris Huhne: I do. I noted the criticism from Opposition Members, and I refer them to a bit of socialist history. The attempt to build socialism in one country under Joe Stalin was not an unalloyed success, and, similarly, an attempt to build climate change policies in one country would not be an unalloyed success. We must keep a weather eye on the competitiveness of our industries and on what is going on overseas, but we have set a very clear direction. We will be ambitious in our climate change goals, and I am determined for us to drive the growth of these new opportunities and industries as a result.

Gavin Shuker (Luton South) (Lab/Co-op): The Secretary of State has led the House to believe that a review of progress early in 2014 was intended to ensure that the emissions trading system trajectory agreed by the EU could be revised up. Can he rule out the possibility that those ambitious targets will be revised down?

Chris Huhne: Were our EU partners to move even further and faster than we are currently suggesting, we might indeed see revision in the other direction, but I think that the hon. Gentleman accepts as much as I do that the chances of that happening appear to be remote at the moment. I think that we are making progress with our aim to achieve a 30% reduction in carbon emissions by 2020. A number of other countries have joined us in the call for that, including, recently, Denmark, Sweden and Spain, and I am confident that we will make further progress among our partners in the months to come.

Jason McCartney (Colne Valley) (Con): I welcome my right hon. Friend's statement. Businesses in my part of west Yorkshire are already playing a major part in the green economy. David Brown Engineering in Lockwood make the gears for offshore wind turbines and is very appreciative of a £2 million investment from the regional growth fund for a research centre there; TEV Ltd in Brighouse is investing in air source heat pumps; and the then Conservative-run Kirklees council introduced the warm zone scheme. Does my right hon. Friend agree that as we cut emissions, the number of green jobs will increase?

Chris Huhne: I certainly do. I think this presents an enormous opportunity for the future. There will be enormous numbers of jobs in energy saving and in the other low-carbon goods and services, and that will be the case right across the country. There will be no bias towards one region or another—no bias towards London and the south-east, for instance—because homes, and therefore the industrial opportunities, exist everywhere.

Mark Durkan (Foyle) (SDLP): The Secretary of State has explained why he is resiling from the Committee on Climate Change advice to forgo the carbon trading option, but is he proposing to sidestep any of its other recommendations? Also, do any of his concerns for ensuring the competitiveness of energy-intensive industries and for signalling certainty to investors extend to feeling regret about the adverse impact of the Chancellor's raid on the CRC scheme?

Chris Huhne: We have not accepted a number of the other detailed recommendations in the committee's report, but the trading one is an obvious example. It also asked us to set a target for 2030, and we do not see the need for that. I am not a great believer in intermediate targets when we have a very clear overall carbon budget, but given our commitment to a target figure of 1,950 million tonnes for the overall carbon budget for 2023 to 2027, nobody should be in any doubt about the thrust of our policy or our determination to meet our target. I have a very strong preference for achieving what we are actually trying to do, which is to cut carbon emissions, rather than for setting a whole group of intermediate targets, but that we will do.

Gavin Barwell (Croydon Central) (Con): I warmly welcome the Government's decision to accept the independent committee's advice. Further to the question I asked my right hon. Friend on Second Reading of the Energy Bill, can he confirm that the Government report setting out the policies and proposals required to meet the budget will include an assessment of the contribution each will make so that the House can assess the value for money that they offer?

Chris Huhne: I am concerned to ensure that all our policies offer real value for money. I believe the only way we will be able to hold public consensus behind what is a very ambitious programme of industrial change is if we show we are really ensuring that we get value for taxpayers in each policy we pursue. That is why we had to take the decision we took on solar feed-in tariffs. Although everything was unchanged below two tennis courts-worth, we have had to review the solar tariffs for the larger scale solar because we are determined to get good value for money. That is crucial. I also take on board the fact that the OECD's latest country report urged us to look at the different implicit carbon prices in our policies across the board. I very much take that to heart and we will look at it. I can therefore assure my hon. Friend that we will address value for money, and that it is foremost among our considerations in delivering good policy.

Geraint Davies (Swansea West) (Lab/Co-op): Does the Energy Secretary believe that it would help to achieve his carbon targets if the speed limit for cars were lowered, or does he think the speed limit for cars should be raised, as do the Transport Secretary and, presumably, the Energy Secretary's wife?

Chris Huhne: The Transport Secretary has responsibility for these matters, and it is well above my pay grade.

Mr Steve Brine (Winchester) (Con): I thank the Secretary of State for his statement and welcome the Government's ambition in this area. Given the critical role local authorities must surely play in delivering their goals, how does the Secretary of State intend to help local councils do their bit?

Chris Huhne: The most important way in which this Government can help local councils be innovative, creative and imaginative is to get away from telling them what to do from Westminster. We must remove ring-fencing and make sure local councils can take responsibility for their own decisions. As my hon. Friend knows, we have some robust debates about the priorities between different levels of government in Hampshire, and that is as it should be. Those priorities are determined by the councils—whether the county council at Winchester by the Conservatives, or the district council at Eastleigh by the Liberal Democrats. They make different decisions and it is proper that they should then be accountable to local people for those decisions.

Alex Cunningham (Stockton North) (Lab): I, too, am pleased that we got a statement on this today, but I am anxious about the future and viability of energy-intensive industries, such as those in my constituency which have been the backbone of the north-east England economy. They have done much to reduce emissions already, but what will the Government do to help with transition funding, possibly through the growth fund or other mechanisms, to ensure that such industries can make further change and develop in the future?

Chris Huhne: The hon. Gentleman is right to mention the growth fund, which is having a tremendous impact in bringing in a vast amount of private investment where it would not otherwise have been occurring; that is definitely a tremendous innovation. In addition, we are and will be developing the package for the energy-intensive industries, which I mentioned earlier. That is being done with our colleagues in the Department for Business, Innovation and Skills, and it will be coming forward by the end of the year. We want balanced growth so that all parts of the economy can benefit from a robust economy.

David Rutley (Macclesfield) (Con): I, too, wish to add my thanks to the Government and welcome the steps being taken to move to a low-carbon economy. It is also encouraging to see the great work being done by community groups, particularly Macclesfield Transition Town and Food4Macc in my area, to support these ambitions. Can my right hon. Friend tell the House what steps he is taking to engage these community groups in helping to achieve these very important targets?

Chris Huhne: We are keen to engage community groups; the ministerial team does a lot of visits and makes sure that we are talking to members of civil society and, of course, to non-governmental organisations, which have an important influence on community groups. This is also particularly crucial in an area that I know can be controversial, even among those on the Government Benches: proposals for onshore wind. I think that that is a beautiful form of renewable energy, although I know that that opinion is not always shared across the House. It is an important part of our strategy to get community groups involved and owning these policies, and some interesting proposals have been made. For example, the biggest proposal for onshore wind is the Viking proposal for Shetland and it is half-owned by the community group that supports Shetlanders. So I am very much in favour of the sort of engagement that my hon. Friend has rightly suggested.

Nia Griffith (Llanelli) (Lab): Given his comments today and previously, the Secretary of State is obviously keenly aware of the danger of carbon leakage, particularly if the Government proceed to reduce emissions through unilateral taxation on the energy-intensive industries. So what consideration has he given to an annual assessment of UK emissions on a consumption basis—an assessment taking into consideration imported goods—because that would act as a real incentive for us to reduce our emissions properly here in the UK?

Chris Huhne: The hon. Lady raises an important issue that people periodically talk about, which is that no matter how well we do in the UK, we are not making a difference to the world as a whole if we are merely

[Chris Huhne]

outsourcing production of carbon-intensive goods to economies such as China. However, I would make two points in response, the first of which is that we should not underestimate the progress being made in economies such as India and China to grapple with and move very fast on this agenda. The Department and the Government are working with the low-carbon pilot areas in China and the developments are truly impressive, so I urge her to look at them. We are aware of this issue, but I do not think that any time soon we will be able to move globally towards a situation where we are taking into account the embedded carbon emissions in trade. The reality is that most of the nearly 200 countries that are members of the United Nations are fiercely protective of their own territorial sovereignty, so it seems likely that our major efforts to tackle climate change will be based on states' control of their own territorial integrity.

Jo Swinson (East Dunbartonshire) (LD): I congratulate the Secretary of State on accepting the ambitious fourth carbon budget recommended by the Committee on Climate Change. His statement highlights how vital it is to increase the EU carbon emission reduction target from 20% to 30% by 2020, so how will the Government redouble their efforts to secure that agreement and, in particular, to get a significant tightening of the EU emissions trading scheme cap?

Chris Huhne: I am grateful to my hon. Friend for that question. We have made substantial strides in the direction of securing an agreement and a number of countries in the EU are clearly signed up to the 30% ambition level for 2020. A number of other countries would like to go beyond 20%. The European Commission is the key player and one of the points that it is making—rightly I think—is that if we as a European Union were to deliver on just the energy efficiency commitments that we have already made, we could get to a 25% cut in carbon emissions by 2020 without any additional cost. There is a lot of progress to be made on this agenda and I and my ministerial colleagues are pressing that point at all the meetings we attend in Brussels and elsewhere. I believe that we are making good progress.

Jessica Morden (Newport East) (Lab): One issue for intensive energy users is the cumulative effect of Government policies on their competitiveness. Has the Minister carried out a full impact assessment of the cumulative effect of climate policies and, if not, will he commit to doing so?

Chris Huhne: The group that is considering the impact on energy-intensive industries is certainly taking into account all the impacts of policy as well as the other impacts. Obviously, some effects on energy-intensive industry have nothing to do with policy and there are some macro-economic effects, such as the relative competitiveness gained through the improvement in the real exchange rate. We will take account of all those factors when we come to conclusions about the measures necessary to help energy-intensive industries.

Graham Stringer (Blackley and Broughton) (Lab): The Secretary of State has mentioned on a number of occasions the increased number of jobs in the renewables sector of the economy. This March, Verso Economics produced a report for the Scottish Parliament that showed that for every job created in the renewables sector 3.7 jobs were destroyed in the rest of the economy. How does he marry that report's conclusions with the statements he has been making?

Chris Huhne: For every report that reaches the sort of conclusion that the hon. Gentleman is suggesting, I can point him to other reports that suggest exactly the opposite. The OECD, which is probably the most respected and authoritative of international economic organisations, has done some very good work on green growth. We have had a very important study from Potsdam in co-ordination with a number of leading economists from Oxford and elsewhere that suggests that there are positive growth effects through investment and learning by doing. Recently, I received a very important note from Professor Nick Stern—Lord Stern—arguing that the attempts to see his report as imposing costs on the economy were simply mistaken. He feels very strongly that the move to low-carbon goods and services involves enormous opportunities and that the increase in investment involved can help to power us out of an exceptionally deep recession. That is perhaps a long answer to show that when two economists are in a room, there are sometimes three opinions. None the less, the balance of argument is very much against the hon. Gentleman's point.

Tom Greatrex (Rutherglen and Hamilton West) (Lab/Co-op): The Secretary of State has made a number of points this afternoon, but one point that came out of the findings and recommendations of the Committee on Climate Change was that international aviation and shipping should be included in future carbon budgets. Does he agree with that recommendation?

Chris Huhne: It is certainly one thing that we intend to consider. It is important, but there are obviously technical issues to be resolved and discussions are ongoing within Government. When we reach a conclusion, we will make an announcement.

Chris Williamson (Derby North) (Lab): This issue should transcend party politics, but I regret to say that some of the Secretary of State's actions do not live up to his rhetoric. This morning, I met representatives from East Midlands airport whose ambition is to make its ground operations carbon-neutral. The plan was to provide 36% of the airport's energy requirements through a major photovoltaic scheme that has now been made unviable as a result of the wholesale butchery of feed-in tariffs. Will the Secretary of State tell the House whether he has abandoned photovoltaic cells as a way of generating energy and what advice can he give to East Midlands airport about its ambition to deliver a carbon-neutral target?

Chris Huhne: The hon. Gentleman should perhaps be aware that the intention of the feed-in tariff scheme was to encourage microgeneration. Any proposal that involves less than two tennis courts-worth of solar photovoltaic cells will be completely unchanged by the review that we have announced, so he is clearly referring to a scheme that is very much bigger than that. All I would say is that we have to look at value for money. I am surprised that Opposition Members think that that is a revolutionary concept but it is important to consider value for money. If we had not announced the review, we would have found that a very large part of some of our finest shire counties would, instead of disappearing under oil seed rape or some more conventional crop, have been disappearing under solar photovoltaics. That was not, I am sure, the intention of the Opposition. It certainly is not our intention and that is why we have acted.

Mr William Bain (Glasgow North East) (Lab): Does the Secretary of State accept the commission's finding about seeking a reduction of 44% in emissions from surface transport by 2030 in comparison with the figures for 2008? If he does, will he make representations to the Secretary of State for Transport to put right the cuts in the budgets for electric-powered and hybrid vehicles that were made in the spending review, which put the long-term viability of those industries at risk?

Chris Huhne: I do not think that the policies that my right hon. Friend the Secretary of State for Transport has introduced can be characterised in the way that the hon. Gentleman suggests. We recently did some calculations that suggested that, given the prices we have at the petrol pump today, it makes sense to buy an electric vehicle because of the subsidies that the Secretary of State for Transport has announced in co-operation with my right hon. Friend the Chancellor. I believe that the framework has been set for very rapid growth in this area and I am confident that that is what we will see.

Paul Flynn (Newport West) (Lab): As the continuing and intensifying nightmare of Fukushima has undermined the public's confidence in nuclear, and because no nuclear power station, old or new, has ever been built on budget, on time or without public subsidy, does the Secretary of State still persist in his belief that nuclear power stations can be built here without public subsidy? If so, will he explain who will pay the billions in insurance and compensation if a major incident occurs? Will it be the industry or, as in Japan now, the taxpayer?

Chris Huhne: The hon. Gentleman has a long track record of concern on this subject, which I respect. Some of the answers to his questions will be there when we see the interim and then the final report from the chief nuclear inspector, Mike Weightman. I hope that we can bring that forward very rapidly and then the hon. Gentleman will be able to see for himself. He is right in one respect, on which I entirely agree with him: if there is to be, as the nuclear industry hopes, a nuclear renaissance, it is absolutely crucial that the nuclear industry shows that it can deliver on time and to budget. Investors will not come forward on a repeated basis if that is not the case.

I can certainly confirm that we will not be providing public subsidy to nuclear and that we see nuclear as part of the energy mix for the future provided that safety concerns are met—we have the Mike Weightman review to be announced shortly—and provided that investors are prepared to come forward. At the moment, the indications are that investors are prepared to come forward provided that we put in place, as I believe the House has already done with the regulatory justification, the necessary steps to facilitate the normal big infrastructure spending that it involves.

Dangerous Driving (Maximum Sentence)

Motion for leave to bring in a Bill (Standing Order No. 23)

5.39 pm

Karl Turner (Kingston upon Hull East) (Lab): I beg to move,

> That leave be given to bring in a Bill to increase the maximum sentence for a conviction of dangerous driving from two years to seven years; and for connected purposes.

Before my election to the House, I worked as a criminal barrister. One of the last cases that I was instructed in was defending a dangerous driver. I recall the grim expression on the face of the Crown Court judge when I got into the mitigation, not because I was wrong to ask for leniency, but because the law gave the judge insufficient discretion to mark the offence with an appropriate punishment. The driving was bad, but not the worst the judge had seen. Nevertheless, it was horrendous driving. I was keen to emphasise that it was not the worst of its kind. I finished my address by asking the judge to allow the defendant full credit for his guilty plea, and sat down knowing that I had done my best for my lay client.

Coincidently, one of the first cases that I dealt with as a Member of the House concerned the victim of dangerous driving, Katie Harper. Her case motivated me to push for a change in the law. Dangerous driving requires the prosecution to show that the driving falls far below what would be expected of a competent and careful driver, and that it would be obvious to a competent and careful driver that driving in that way would be dangerous. There is no definition of "far below", but the danger must be either that of injury to any person or serious damage to property. The offence is not made out where the driving is less than truly dangerous.

The sentences handed down by judges leave victims feeling let down by the justice system when the offender is released from prison after just a few months, by which time the victims have not even started to come to terms with the damage that the offender has caused. Victims of dangerous driving are sometimes left brain damaged, paralysed or with amputations. The perpetrator will of course be punished, but the law does not currently allow the sentencing judge enough discretion to provide anything like the result that victims might expect. However, in the case of a serious assault, such as grievous bodily harm, the sentencing judge has at his disposal the discretion to mark the offence with a sentence that reflects the harm caused to the victim.

My constituency case helped me understand the real effect on victims of dangerous driving where injury results. In 2009, Katie Harper was a healthy 23-year-old English degree student until she was hit by another car overtaking a line of traffic at seriously excessive speed. Her passenger was her mother, Christine. Katie suffered multiple breaks to her pelvis, two broken arms, facial injury and serious nerve damage to her right leg. Her mother has also been left with permanent injuries after the near-fatal incident. The entire family have suffered. Katie's father, Paul Harper, retired early from his job as a primary school teacher to provide the round-the-clock support that his wife and daughter need. My constituents' case is by no means the worst.

[Karl Turner]

The House will remember the tragic case of Cerys Edwards, an 11-month-old toddler. The Edwards family were the victims of a dangerous driver in 2006. Cerys has needed round-the-clock care since the collision. The driver was doing 70 mph in a 30 mph zone. He lost control of his mother's Range Rover while overtaking. Cerys was left severely paralysed, brain damaged and reliant on a ventilator to breathe. The dangerous driver was released from prison after just six months. Cerys's father, Gareth Edwards, is reported to have said, "It just goes to show we don't have a justice system in this country", when he heard that the offender had been released.

Many judges have described in their sentencing remarks their frustration at the inadequacy of the law. In researching my Bill I took the time to seek advice from the Recorder of Hull and East Riding, His Honour Judge Mettyear. Judge Mettyear told me that every judge in the country would, in his view, want to support this proposal. There is a clear anomaly in the law. Dangerous driving carries a maximum sentence of two years, whereas causing death by dangerous driving is worth 14 years.

To highlight the disparity, let us imagine the following situation. Two young men who own powerful cars spend a Saturday afternoon with friends in a park. One suggests to the other that they should have a race. The friends warn them of the danger. One of them is not so keen, but he is heavily encouraged by his girlfriend, who offers to accompany him. He reluctantly takes up the offer and they race through the crowded streets, overtaking each other in the face of oncoming traffic, which has to swerve to avoid collision. They continue at great speed in order to escape the police. As they try to navigate a bend, they lose control. One of them ploughs into a bus stand, causing serious injury. The other manages to swerve to avoid the bus stand but hits a tree. His girlfriend, who is a passenger, is tragically killed. The other driver is lucky and does not cause death, but he leaves his victim paralysed and permanently brain damaged.

The one who causes the death will face up to 14 years' imprisonment. The one who leaves the innocent victim paralysed and brain damaged will face a maximum of two years' imprisonment. This sentence must then be reduced by one third, as credit for pleading guilty, and then further because it is not considered the worst such case that the judge has seen. The offender will serve a matter of a few months in prison, but what sentence does his innocent victim face? In this scenario, the culpability of the driver who caused death was in some ways less than the one who was lucky and did not. How is that justice? My motivation is compounded by the forthcoming justice Bill, which proposes to increase the discount for an early guilty plea from one third to 50%, which means that even the worst example of dangerous driving will attract a starting sentence of only 12 months.

I am grateful for the cross-party support I have received for my Bill. Over the past few weeks, I have spoken with right hon. and hon. Members from across the House, and their advice and encouragement has been gratefully received. I am grateful to Louise Casey, the Victims' Commissioner, for her support and invaluable advice. I have also discussed my proposal with my area chief constable, Tim Hollis, who fully supports my efforts. The charity Brake welcomes the proposals and the AA, Aviva and the RAC have also committed their support.

I know that my proposal is unlikely to find its way on to the statute book in its current form, but I hope that those on the Government Front Bench will take on board the points that you, Mr Speaker, have allowed me to make. The Bill requires a simple amendment to paragraph 9 of schedule 2 to part 1 of the Road Traffic Offenders Act 1988. The effect, however, would be substantial. The Bill would allow judges the discretion to redress the balance in favour of the victim. The proposed legislation addresses an anomaly in the law and offers a proper deterrent. I respectfully invite the House to support it.

Question put and agreed to.

Ordered,

That Karl Turner, Anna Soubry, Mr Elfyn Llwyd, Mr John Leech, Julie Hilling, Chris Evans, John Mann and Andrea Leadsom present the Bill.

Karl Turner accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 9 September, and to be printed (Bill 190).

LOCALISM BILL (WAYS AND MEANS)

Resolved,

That, for the purposes of any Act resulting from the Localism Bill, it is expedient to authorise—

(a) the making of provision in relation to income tax, corporation tax, capital gains tax, stamp duty, stamp duty land tax or stamp duty reserve tax in connection with a transfer of property, rights or liabilities by or under the Act; and

(b) the making of provision for a body not to be exempt from corporation tax, income tax or capital gains tax where in pursuance of the exercise of functions of the Greater London Authority the body carries on activities for a commercial purpose.—*(Robert Neill.)*

Localism Bill (Programme) (No. 2)

5.49 pm

The Minister of State, Department for Communities and Local Government (Greg Clark): I beg to move,

That the Order of 17 January 2011 (Localism Bill (Programme)) be varied as follows:

1. Paragraphs 4 and 5 shall be omitted.

2. Proceedings on Consideration and Third Reading shall be completed in two days.

3. Proceedings on Consideration shall be taken on the days shown in the first column of the following Table and in the order so shown.

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

Proceedings	*Time for conclusion of proceedings*
First day	
New Clauses relating to Part 1, new Schedules relating to Part 1, amendments to Clause 1, amendments to Schedule 1, amendments to Clauses 2 to 10, amendments to Schedule 2, amendments to Clause 11, amendments to Schedule 3, amendments to Clauses 12 to 14, amendments to Schedule 4, amendments to Clauses 15 to 29, new Clauses relating to Part 2, new Schedules relating to Part 2 and amendments to Clauses 30 to 34.	7.30 pm
New Clauses relating to Part 5, new Schedules relating to Part 5, amendments to Clause 89, amendments to Schedule 8, amendments to Clauses 90 to 96, amendments to Schedules 9 to 11, amendments to Clauses 97 to 101, amendments to Schedule 12, amendments to Clauses 102 to 107, amendments to Schedule 13, amendments to Clauses 108 to 120, new Clauses relating to Part 4, new Schedules relating to Part 4, amendments to Clauses 39 to 56, amendments to Schedules 5 and 6, amendments to Clauses 57 to 64, amendments to Schedule 7 and amendments to Clauses 65 to 88.	10.00 pm
Second day	
New Clauses relating to Part 3, new Schedules relating to Part 3, amendments to Clauses 35 to 38, new Clauses relating to tax in connection with provisions of Parts 6 and 7, new Schedules relating to tax in connection with provisions of Parts 6 and 7, remaining new Clauses relating to Part 7, remaining new Schedules relating to Part 7, amendments to Clauses 157 to 166, amendments to Schedules 19 and 20, amendments to Clauses 167 to 169, amendments to Schedule 21, amendments to Clauses 170 to 193, amendments to Schedule 22, amendments to Clauses 194 and 195, amendments to Schedule 23 and amendments to Clauses 196 to 200.	4.00 pm
Remaining new Clauses relating to Part 6, amendments to Clauses 121 to 133, amendments to Schedule 14,amendments to Clauses 134 to 140, amendments to Schedule 15, amendments to Clauses 141 to 150, amendments to Schedule 16, amendments to Clause 151, amendments to Schedule 17, amendments to Clauses 152 to 156, amendments to Schedule 18, remaining new Clauses, remaining new Schedules, amendments to Clauses 201 to 203, amendments to Schedule 24, amendments to Clauses 204 to 207 and remaining proceedings on Consideration.	6.00 pm

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

I will briefly introduce the motion. It is delightful to see that so many Committee members have come back for a second round. From the outset of our deliberations on the Bill, we said that we regarded the legislation as something that could benefit from the expertise that exists both within the House and outside.

We have been true to that statement, and we had a very interesting set of sessions in Committee: 24 sittings and 64 hours' scrutiny. I probably spent more time during that period in the company of the hon. Member for Worsley and Eccles South (Barbara Keeley), at least during waking hours, than I did with my wife—although the hon. Member for Plymouth, Moor View (Alison Seabeck) sort of doubled up on that time. We considered every clause in the Bill and finished its scrutiny with a little time to spare, so we made good progress.

During the Bill's passage, we established an atmosphere that was constructive, usually harmonious and often uproarious, even. I do not know whether the remaining stages will live up to the high benchmark that we set, but we should aim to take matters in the same spirit—I certainly intend to—today, tomorrow and, indeed, when the Bill goes to another place. This is a Bill in which there are invested the hopes and expectations of many people outside this place, and we owe it to them to reflect seriously on the matters that are before us and, where we can be constructive, to be so.

I hope Members will recognise that the large number of Government amendments is testimony to some of my commitments in Committee to reflect seriously on the points that were made and to come back to the House in a constructive way. There have been discussions across the House and with outside bodies in helping to shape that approach, and no doubt they will come out in our debates over the next two days.

It is comparatively unusual to have two days on Report, but the Bill's significance and extent justify it. Nevertheless, I hope that the hon. Member for Worsley and Eccles South and her colleagues will accept that it is appropriate to insert a couple of knives into our proceedings so that we can get on to talk about planning and, in due course, housing. It would be remiss if we did not secure that outcome.

No doubt we will not agree on everything, and there may be cause for Divisions, but, as in Committee, constructive suggestions will have the opportunity to be reflected on and reflected in the Bill's further progress in another place.

5.53 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I will be even more brief. As the Minister suggests, on Report the Government have tabled 234 new clauses and amendments, which is more than the number of clauses in the original Bill, so we have a lot to discuss. I would not say that we have two days. We have ended up with some concerns about the programming of these debates, but it would be more appropriate if we discussed them with the usual channels.

5.53 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Looking at the proposed timetable, I note that parts 4 and 5 alone include 14 new clauses as well as Government and Opposition amendments, and there is no way in which considered debate can be held on all of them. As someone putting forward his own new clause, which is of huge importance to Wales, I am disappointed that insufficient time has been allocated on Report, and I call for extra time to ensure a considered debate about those vital issues.

Question put and agreed to.

Localism Bill

[1st Allocated Day]

Consideration of Bill, as amended in the Public Bill Committee.

[Relevant documents: The Second Report from the Communities and Local Government Committee, Abolition of Regional Spatial Strategies: a planning vacuum?, HC 517; Written evidence submitted to the Communities and Local Government Committee on the General Power of Competence, HC 931; The Third Report from the Environmental Audit Committee, Sustainable Development in the Localism Bill, HC 799.]

New Clause 12

Limits on power under section 5(1)

'(1) The Secretary of State may not make provision under section 5(1) unless the Secretary of State considers that the conditions in subsection (2), where relevant, are satisfied in relation to that provision.

(2) Those conditions are that—

(a) the effect of the provision is proportionate to the policy objective intended to be secured by the provision;

(b) the provision, taken as a whole, strikes a fair balance between the public interest and the interests of any person adversely affected by it;

(c) the provision does not remove any necessary protection;

(d) the provision does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;

(e) the provision is not of constitutional significance.

(3) An order under section 5(1) may not make provision for the delegation or transfer of any function of legislating.

(4) For the purposes of subsection (3) a "function of legislating" is a function of legislating by order, rules, regulations or other subordinate instrument.

(5) An order under section 5(1) may not make provision to abolish or vary any tax.'.—*(Andrew Stunell.)*

Brought up, and read the First time.

5.54 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Stunell): I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Nigel Evans): With this it will be convenient to discuss the following:

New clause 8—*Sunday trading hours - power to amend or repeal*—

'Notwithstanding any existing statutory provisions, a local authority may, for its area, impose its own regulations on Sunday opening hours for retail outlets that currently have a restriction in place to either—

(a) reduce the existing hours, or

(b) extend the existing hours.'.

New clause 10—*Recall elections*—

'(1) If 25% or more of the registered voters in the constituency of an elected local government member sign a relevant recall petition then a recall election must be held on the same date as the next election (whether or not a local election) to be held in the constituency of the elected government member, provided that that election is not less than 12 weeks after the threshold has been reached.

(2) In order for a recall petition to be relevant the appropriate returning officer must be satisfied that—

(a) the petition has been submitted in accordance with the rules provided for in subsection (3) and;

(b) there is evidence contained in the petition that the elected local government member has—

(i) acted in a way which is financially dishonest or disreputable,

(ii) intentionally misled the body to which he or she was elected,

(iii) broken any promises made by him or her in an election address,

(iv) behaved in a way that is likely to bring his or her office into disrepute, or

(v) lost the confidence of his or her electorate.

(3) The Secretary of State must lay regulations before Parliament within six months of the passing of this Act setting out—

(a) how notice of intent to petition for recall is to be given,

(b) how "registered voters" are to be defined for different types of constituency,

(c) the definition of "appropriate returning officer",

(d) the ways in which registered voters can sign a recall petition,

(e) the ways in which signatures to such petitions will be verified,

(f) entitlement to vote in, and the conduct of, the recall election,

(g) rules on any other related matters as considered necessary by the Secretary of State, and

(h) consequential, saving, transitory or transitional provision (including amendments to existing statutory provision, whenever passed or made).

(4) The Secretary of State must issue guidance to returning officers on how to make assessments under subsection (2)(b) within six months of the passing of this Act.

(5) The question that is to appear on the ballot papers in a recall election is "Should [name of elected local government member] be recalled from [name of body or office]?".

(6) If at a recall election more votes are cast in favour of the answer "Yes" than in favour of the answer "No", then—

(a) if the elected representative has been elected under a first past the post or alternative vote electoral system, he or she is recalled and a by-election must be held within three months in which the recalled candidate may stand, or

(b) if the elected representative has been elected under a system of proportional representation, the next candidate on the relevant party list shall take the seat.

(7) In this section "elected local government member" means any person elected to the Greater London Authority, a county council in England, district council, or London borough council, including an elected mayor of the council; and the Mayor of London.

(8) Regulations under this section may not be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.

(9) Subsections (1) and (2) come into force six months after the day on which the regulations under subsection (3) are made.'.

New clause 27—*Low pay policy statements*—

'(1) The Secretary of State must by regulations made by statutory instrument require relevant authorities to prepare a pay policy statement for lower paid staff within six months of this Act coming into force.

(2) In this section "lower paid staff" means—

(a) the lowest paid member of staff, and

(b) any member of staff paid less than 20 per cent. above the amount paid to the lowest paid member of staff.'.

New clause 28—*Local authority contractor pay policy statements*—

'(1) The Secretary of State must by regulations made by statutory instrument require relevant authorities to prepare a pay policy statement for the highest paid staff and the lower paid staff of local authority contractors within six months of this Act coming into force.

(2) In this section—

(a) "local authority contractors" means a company or organisation (a "contractor") that supplies services or executes works for the relevant authorities to the value of more than £250,000 in any financial year;

(b) "lower paid staff" means—

(i) the lowest paid member of staff, and

(ii) any member of staff paid less than 20 per cent. above the amount paid to the lowest paid member of staff,

(c) "highest paid staff" means the highest paid member of staff by remuneration, which shall include payments made by the contractor to the member of staff in connection with that staff's employment, any relevant bonuses and benefits in kind.'.

Amendment 37, page 4, line 22, clause 5, at end insert—

'(6A) The power under subsection (1) or (2) may not be exercised to amend, repeal, revoke or disapply—

(a) this Part of this Act,

(b) Public Libraries and Museums Act 1964 section 7 or section 13,

(c) Small Holdings and Allotments Act 1908 section 23,

(d) Children Act 1989 Part 3 and Schedule 2,

(e) Childcare Act 2006, Parts 1 and 2,

(f) Child Poverty Act 2010 Part 2,

(g) Equality Act 2010, section 88,

(h) Equality Act 2010, section 149,

(i) Care Standards Act 2000,

(j) Chronically Sick and Disabled Persons Act 1970 section 21,

(k) Transport Act 2000 section 145A,

(l) Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000,

(m) Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007,

(n) Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007,

(o) Carers and Disabled Children Act 2000,

(p) Carers (Recognition and Services) Act 1995,

(q) Disabled Persons (Services, Consultation and Representation) Act 1986,

(r) Mental Health Act 1983 Part 8,

(s) Community Care, Services for Carers and Children Services (Direct Payments) England Regulations 2009,

(t) Public Health Act 1875,

(u) Public Health Act 1936,

(v) Commons Act 2006,

(w) Countryside and Rights of Way Act 2000,

(x) Natural Environment and Rural Communities Act 2006 section 40,

(y) Wildlife and Countryside Act 1981 section 25 or section 28E,

(z) Environment Act 1995 Part 4,

(z1) Dangerous Wild Animals Act 1976,

(z2) Prevention of Damage by Pests Act 1949,

(z3) Hedgerow Regulations 1997,

(z4) Planning (Listed Building and Conservation Areas) Act 1990 section 66 or section 72, (z5) Ancient Monument and Archaeological Areas Act 1979 sections 12 and 13,

(z6) National Parks and Access to the Countryside Act 1949,

(z7) Animal Welfare Act 2006 section 30,

(z8) Zoo Licensing Act 1981,

(z9) Marine and Coastal Access Act 2009 Part 6,

(z10) Flood and Water Management Act 2010 Schedule 3,

(z11) Working Time Regulations 1998 Regulation 28,

(z12) Education Act 1996 section 15ZA,

(z13) Food Safety Act 1990 Parts 1, 2 and 3,

(z14) Freedom of Information Act 2000,

(z15) Housing Grants, Construction and Regeneration Act 1996 section 1,

(z16) Housing Act 1996 Part 7,

(z17) Homelessness Act 2002,

(z18) Housing Act 2004 Part 2,

(z19) Local Government Act 1972 Part VA, section 99 or section 148,

(z20) Local Government Act 2000 Part 3 section 21 or section 37,

(z21) Children and Young Persons Act 1969 Part 1, or

(z22) Adoption and Children Act 2002.'.

Government amendments 44 to 50.

Amendment 36, page 5, line 32, clause 7, at end insert—

'subject to the exceptions specified in section 5 (6A)'.

Government amendments 51 to 98.

Amendment 42, page 193, line 27, schedule 2, leave out from beginning to end of line 39 on page 195.

Amendment 43, page 198, leave out lines 4 to 25.

Amendment 2, page 199, leave out lines 30 to 43 and insert—

'The elected mayor is to be returned under the simple majority system.'.

Amendment 3, page 200, line 6, leave out from 'one' to second 'vote' in line 7.

Amendment 38, page 205, leave out lines 29 to 31.

Amendment 1, page 208, line 48, leave out '5' and insert '2.5'.

Amendment 39, page 209, leave out lines 3 to 25.

Amendment 40, page 209, leave out lines 26 to 47.

Amendment 41, page 211, line 18, leave out from beginning to end of line 31 on page 213.

Amendment 15, page 213, line 40, at end insert—

'9OZA Elected Mayors and Reduction of Councillors

(1) Where a local authority has an elected mayor, that local authority must reduce within four years of the election of the Mayor the number of local councillors to one-third of pre-mayoral levels.

(2) These provisions will apply retrospectively to local authorities which already have an elected mayor and the reduction in councillors must take place within four years of this legislation taking effect.'.

Amendment 4, page 215, leave out line 17.

Amendment 5, page 215, leave out lines 34 and 35.

Government amendments 99 to 129.

Amendment 365, page 15, line 44, clause 16, leave out 'may' and insert 'must'.

Amendment 366, page 16, line 4, leave out paragraph (c).

Government amendments 130 and 131.

Amendment 367, page 16, line 31, clause 17, leave out 'may' and insert 'must'.

Amendment 302, page 18, line 28, clause 21, leave out 'senior'.

Amendment 303, page 18, line 30, leave out 'A senior' and insert 'Subject to subsection (2)(b), a,'.

Amendment 304, page 18, line 31, leave out 'its chief officers' and insert—

'(a) its chief officers and its lower paid staff; and

(b) the chief officers and the lower paid staff for each employer of indirectly employed staff, subject to paragraph (c);

(c) nothing in this Chapter shall be taken as requiring the publication of a pay policy statement where:

(i) it relates to indirectly employed staff; and

(ii) the aggregate value of all funding received by the indirect employer of the staff from a relevant authority does not exceed £250,00 in any financial year.'.

Amendment 305, page 18, line 41, at end insert

'and the lower paid staff

(h) the total level of remuneration of the highest paid chief officer (A);

(i) the total level of remuneration of the lowest paid member of staff (B);

(j) the total number of staff being paid the amount set out in paragraph (3)(i);

(k) the number of staff paid less than 10 per cent. above the amount set out in paragraph (3)(i);

(l) the number of staff paid less than 20 per cent. above the amount set out in paragraph (3)(i);

(m) the highest paid chief officer's remuneration as a multiple of the lowest paid member of staff's remuneration using the formulation A/B;

(n) the pay multiple to be maintained as set out in paragraph (3)(m).'.

Amendment 306, page 19, line 1, leave out 'senior'.

Amendment 307, page 19, line 3, at end insert 'and lower paid staff'.

Amendment 308, page 19, line 5, leave out 'senior'.

Amendment 309, page 19, line 11, leave out 'senior'.

Amendment 310, page 19, line 13, leave out 'senior'.

Amendment 311, page 19, line 16, at end insert—

'(6) Where any of the posts to be included in the pay policy statement are not full-time, the information given in the pay policy statement must be expressed as a full-time equivalent.'.

Amendment 312, page 19, line 29, clause 24, at end insert—

'or its lower paid staff.'.

Amendment 313, page 19, line 30, leave out 'senior'.

Amendment 373, page 19, line 39, leave out 'senior'.

Amendment 314, page 20, line 35, clause 26, at end insert—

'(g) any employee of the relevant authority whose remuneration exceeds that of any chief officer as defined in this section.'.

Amendment 315, page 20, line 35, at end insert—

'(2A) In this Chapter "lower paid staff", means each of the following—

(a) the lowest paid member of staff,

(b) staff paid less than 20 per cent. above the amount paid to the lowest paid member of staff.

(2B) In this Chapter "staff" means any staff whether directly or indirectly employed by a relevant authority and who are not chief officers.

(2C) In this Chapter "indirectly employed" means staff employed other than by a relevant authority to undertake work for a relevant authority and which is funded by that authority. Any reference to indirect employment, indirect employer or indirectly employed staff, shall be construed accordingly.

(2D) In this Chapter the provisions of section 231 (associated employers) of the Employment Rights Act 1996 shall apply to indirect employment arrangements.'.

Amendment 316, page 20, line 36, after 'officer', insert—

', or lowest paid member of staff'.

Amendment 317, page 20, line 38, after 'officer's', insert—

', or lowest paid member of staff's'.

Amendment 318, page 20, line 40, after 'officer', insert—

', or lowest paid member of staff'.

Amendment 319, page 20, line 41, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 320, page 20, line 43, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 283, page 20, line 44, leave out 'is' and insert—

'or lowest paid member of staff is'.

Amendment 284, page 20, line 45, after 'officer's', insert—

'or lowest paid member of staff's'.

Amendment 285, page 21, line 1, after 'officer's', insert—

'or lowest paid member of staff's'.

Amendment 286, page 21, line 4, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 287, page 21, line 5, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 288, page 21, line 7, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 289, page 21, line 8, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 290, page 21, line 11, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 291, page 21, line 13, after 'officer', insert—

'or lowest paid member of staff'.

Amendment 292, page 21, line 15, after 'officers', insert—

'or lowest paid members of staff'.

Government new clause 13—*Further warning notices.*

Government new clause 14—*Further EU financial sanction notices.*

Amendment 353, page 22, line 1, leave out clause 30.

Government amendments 132 and 133.

Amendment 354, page 22, line 28, leave out clause 31.

Government amendments 134 and 135.

Amendment 355, page 23, line 41, leave out clause 32.

Government amendments 136 to 138.

Amendment 356, page 24, line 23, leave out clause 33.

Government amendments 139 and 140.

Amendment 357, page 24, line 38, leave out clause 34.

Government amendments 141 to 143, 183, 211, 216 and 217.

Government new clause 22—*Pre-commencement consultation.*

Government amendment 266.

Andrew Stunell: New clause 12 refines one of the central elements of the Bill—the general power of competence. I shall say more about that shortly and also address the other new clauses and amendments in this excessively long group.

The Government are committed to the radical decentralisation of power and control from Whitehall and Westminster to local government, local communities and individuals. We are pushing power back down to the lowest possible level, and this Bill is about shaking up the balance of power and revitalising democracy. It will give power to councils, communities, voluntary groups and the people, giving local authorities the power to take decisions that are right for their areas, and giving to local people the power to influence those decisions.

This Government trust local authorities to know what is best for their areas, we trust local councillors to know what they are doing and we are freeing up local government from the shackles of central Government. The Localism Bill does just what it says on the label.

Philip Davies (Shipley) (Con): I welcome the Minister's opening remarks and wonder whether he is, therefore, just about to get on to the fact that he supports my new clause 8, which would give local authorities the opportunity to vary Sunday trading laws. If what he says is true and he wants to pass all such decisions down to the lowest possible level, that is surely what he is about to announce.

Andrew Stunell: I look forward to hearing my hon. Friend's case deployed in the debate.

I am pleased to report that there is a very broad measure of agreement, both inside and outside the House, on the Bill's principles and, indeed, on many of its specific provisions.

Local authorities will need to ensure the delivery of more responsive services in a more transparent way, so that their citizens can see what is going on. To do so, local councils will need to innovate, to work across traditional boundaries and to ensure clear lines of accountability to their residents. That will be characterised, above all, by the way in which local democracy is renewed.

Within this very large group of proposed changes, there are a number of new clauses and amendments that hon. Members from all parts of the House have tabled, including the one to which my hon. Friend just referred. We shall debate them, I will consider carefully the points that hon. Members raise and I hope to have the opportunity to respond to them before the close of this debate.

[Andrew Stunell]

We had a consensual time on the whole in Committee, and I hope that we can carry that forward in our discussion on this group of proposed changes.

Barbara Keeley (Worsley and Eccles South) (Lab): Not wanting to become non-consensual at this early stage, I note that the Minister talks about limits on power, and we are still concerned about the Bill's 142 extra powers for the Secretary of State. I am puzzled why new clause 12 specifies only the powers in clause 5(1), because they are exactly the same as those in clause 5(2). If there is a concern about limiting the powers of the Secretary of State, it should apply to both subsections. I wonder whether the Minister might cover that point.

Andrew Stunell: I hope to have satisfied the hon. Lady by the time I have completed my remarks. If not, I am sure that she will let me know.

All the Government amendments and new clauses, one way or another, are designed to improve the effectiveness of the Bill, given the range of issues that were raised in Committee, as the Minister of State said, and given outside events, including in particular the passage of the Welsh referendum, which means that some of the provisions that were in prospect earlier on can now be made a reality. To that extent, I hope I can reassure the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) that we are not inserting a whole lot of totally new provisions; we are simply making available to the Welsh Executive the same powers that are being made available in England. I hope he finds that somewhat reassuring.

We have, where appropriate, taken into account feedback from the consultations that have been carried out on elements of the Bill and representations that we have received from a wide range of organisations that have been interested in—and, in some cases, very excited about—the prospect of the Bill coming into force.

6 pm

There was a broad consensus about the general power of competence, with the concerns that were expressed being about the scope of the powers and the role of the Secretary of State. New clause 12 and the related amendments address those points. Equally, there were debates and discussions about the position of fire and rescue authorities, because they will have similar powers. We have reflected on the concerns raised in Committee and the feedback that we received from industry partners, and we have tabled an amendment on that point. Several amendments make the fire and rescue authority powers applicable in Wales.

There was much agreement in the Committee's debate on the Standards Board for England, and we listened carefully and have tabled an amendment. On European Union fines, there was a lot of discussion about the practicalities, but we reached a position whereby people agreed that the intentions behind our proposals on EU infractions were broadly reasonable—I think those were the words of the right hon. Member for Greenwich and Woolwich (Mr Raynsford)—and the debate was more about how this would work in practice.

Barbara Keeley: This is the point where we have to become non-consensual, because Labour Members are still totally opposed to EU fines, and amendments have been tabled on that.

Andrew Stunell: I take note of that, and I will return to it in two or three minutes' time, if I may.

The hon. Lady is of course right that there was not agreement on everything. I recognise, in particular, that there were different views on mayors, not only between Government and Opposition Front-Bench teams but among some of my hon. Friends. I will listen carefully to the points made today on the mayoral proposals in the Bill, particularly on such issues as shadow mayors and mayoral management arrangements. Overall, however, I was struck by how much we had in common and how much consensus there is about the need to change the power balance in this country in line with the direction that the Bill takes. I hope that the House will recognise that, through the range of new clauses and amendments that we have tabled, we have tried genuinely and thoroughly to address the points that have been raised.

Let me turn in more detail to new clause 12 and some of the other Government amendments. I appreciate that I have to strike a difficult balance between using up the available time for debate and giving the House a reasonable explanation of the measures before it. I will steer as good a course as I can, Mr Deputy Speaker, but I am sure you will let me know if I go astray. New clause 12 and its related amendments impose conditions on the use of the delegated powers in clause 5(1) in relation to the general power of competence. Clause 5(1) sets out a power for the Secretary of State to remove or to change statutory provisions that prevent or restrict the use of the general power of competence. We have termed this the barrier-buster power.

Amendment 64 is the equivalent provision for the general power of competence for fire and rescue authorities in England and Wales. The amendment imposes conditions on the use of the delegated powers in new section 5C(1) of the Fire and Rescue Services Act 2004, which is inserted by clause 8. New section 5C(1) sets out a power for the appropriate national authority—Welsh Ministers for the devolved matters relating to Wales, but otherwise the Secretary of State—to remove or to change statutory provisions that prevent or restrict the use of the general power for fire and rescue authorities.

Concerns were expressed about the scope of the delegated power at clause 5(1)—the barrier buster—and the equivalent powers in relation to fire and rescue authorities. The Government reflected on those concerns and decided to introduce specific preconditions as to the use of the barrier-buster power and the limitations on its scope. These include a proportionality test and a requirement to achieve a fair balance between the public interest and the interests of any person adversely affected by an order. In addition to the current requirements that the Secretary of State has to satisfy—in particular, that he must think that a provision prevents or restricts the use of the general power and must consult on his proposals—subsection (1) now provides that he must also consider the conditions set out in subsection (2), in relation to the general power, and in section 5C(1) in relation to the fire provision to have been satisfied in relation to the proposals.

The new conditions that the clause introduces ensure that the use of the provision is proportionate to the policy objective intended, that there is a fair balance between the public interest and the interests of any person adversely affected, that there is no removal of any necessary protection, that no person will be prevented from continuing to exercise any right or freedom that they might reasonably expect to exercise, and that any provision is not of constitutional significance. In the light of Opposition amendments 36 and 37, it is perhaps worth explaining the effect of these conditions in a little more detail. The first condition is that the effect of the provision made by the order is proportionate to its policy objective. It might be possible to achieve a policy objective in several different ways, some of which might be more onerous than others and could represent a disproportionate means of securing the desired outcome, so the Secretary of State must satisfy himself that that is not the case and that there is an appropriate relationship between the policy aim and the means chosen to deliver it.

The second condition is that the provision made by the order, taken as a whole, strikes a fair balance between the public interest, on the one hand, and the interests of the person adversely affected by the order, on the other. While it may be possible to make an order that will have an adverse effect on the interests of one or more persons, the Secretary of State must first be satisfied that this is outweighed by beneficial effects in the public interest. The third condition is that the provision made by the order does not remove any necessary protection. The notion of necessary protection can extend to economic protection, to health and safety protection, and to the protection of civil liberties, the environment and national heritage.

The fourth condition is that the provision made by the order will not prevent any person from continuing to exercise any right or freedom that he might reasonably expect to continue to exercise. To take a leading example, any right conferred or protected by the European convention on human rights is a right that a person might reasonably expect to keep. The fifth and final condition is that the provision made by the order is not constitutionally significant. That condition will allow orders to amend enactments that are themselves constitutionally significant, but only if the amendments are not constitutionally significant. The condition puts it beyond doubt that repeal of legislation such as the Human Rights Act 1998 or the European Communities Act 1972 is outside this power.

In addition to these preconditions, we are seeking to amend the Bill so that an order under clause 5(1) or section 5C(1) of the 2004 Act may not make provision in relation to certain specified limitation. Subsection (3) prevents orders from being used to delegate or transfer a function of legislating, ensuring that a power to make legislation given by Parliament to the Secretary of State or to another body cannot be transferred to a local authority in the interests of barrier busting. It is right that those decisions should remain with Parliament. Subsection (4) gives a definition of the function of legislating—that is, legislating by order, by rules, by regulation or by subordinate instruments. Subsection (5) prohibits an order from abolishing or varying any tax. It could be argued that removing a tax payable by a local authority would be the removal of a barrier, but it is not our intention that clause 5(1) should be used in that way, so the new clause will prevent an order to vary tax from being made.

Taken as a whole, the Government's proposals will provide the protections that the Opposition seek in amendments 36 and 37, but without the inflexible and heavy-handed mechanism that they propose. Amendment 36 would amend the definition of a statutory provision by excluding from that definition a long list of statutes, which is set out in amendment 37. That appears to have been prompted by various strands of work that are being undertaken to gather information about local authority duties. This appears to be an attempt to make a point about front-line duties and the desirability of many things that local authorities have to do. Indeed, that is what the hon. Member for Worsley and Eccles South (Barbara Keeley) set out on her website as being her intention. She has fairly given me notice that she

"will be pressing ministers in the Commons debate…to be clear about which other vital council services can be protected."

I am happy to tell the hon. Lady that the general power is not designed as a means to do away with duties that Parliament has imposed on local authorities. The general power does not oblige local authorities to act in a particular way; it is not the same thing as a duty imposed by legislation. It will give local authorities real freedom to innovate and act in the interests of their communities. The Opposition seem to have developed a misunderstanding about the scope of clause 5(1). It provides the Secretary of State with powers to remove or change statutory provisions that prevent or restrict the use of the general power. That restriction or limitation is one that bites on the general power by virtue of clause 2. The provision is about removing barriers to the legal capacity of authorities to act innovatively and in the best interests of their communities. It is not aimed at removing duties, nor is it, nor could it be, a general-purpose tool to remove any legislation that places a burden on local authorities.

New clause 12 and the connected Government amendments will increase the safeguards on the use of the power in clause 5(1). In addition, the Secretary of State must consult before exercising the power and the appropriate parliamentary procedure for scrutinising any proposed order will be determined by Parliament.

Heidi Alexander (Lewisham East) (Lab): Does the Minister accept that clause 5, when taken in conjunction with the review that his Department is carrying out into burdensome regulations, might lead to the fear, which many of my constituents have expressed to me, that important protections and duties that exist within local authorities might disappear?

Andrew Stunell: The review of statutory duties is a separate exercise. We have made it clear several times that the review of statutory duties will not remove duties to provide vital services, and that any changes to statutory duties that come about as a result of that review will subsequently be properly considered and consulted on. There is no connection between the two processes.

I urge the House, when the time comes, to support new clause 12 and to reject amendments 36 and 37.

I will turn to the other proposals in this group, on which I hope I can be helpful. When the Committee discussed the standards of behaviour required of councillors, we discussed whether a local authority should have to publicise that it has a code of conduct. My hon. Friend the Member for Bradford East (Mr Ward) made a powerful speech on the difference between may and must. I think that was one of the Committee's high spots. Although we consider it right that a local authority

[Andrew Stunell]

can choose whether to adopt a code of conduct for its members, it must be under a duty to disclose whether it has done so and whether it has revised or abolished its code. That duty will ensure that local people are made aware when their local authority adopts, changes or withdraws its code, while leaving it for authorities to decide how best to publicise and deal with these matters.

6.15 pm

Mr Nick Raynsford (Greenwich and Woolwich) (Lab): The Minister is putting the completely absurd proposition to the House that the local authority will be under a duty to publicise a code of conduct that it may decide not to have. Will he please recognise that that is nonsense? Abolishing the requirement for a code of conduct in every local authority in the country is a serious, retrograde step, of which the Government should be profoundly ashamed.

Andrew Stunell: The right hon. Gentleman asked me a question and the answer is no, I do not accept that at all. When we exchanged words in Committee, I thought that this was an outrage, so I am glad that it has been downgraded a little. The important point is that the decision a local authority takes should be transparent, so that the local electorate are aware of it and the local authority are accountable to them. We have accepted the point that my hon. Friend the Member for Bradford East put to the Committee, and Government amendments 130 and 131 deal with that.

Oliver Heald (North East Hertfordshire) (Con): Does the Minister expect to give any guidance under the powers in the Bill on what a code of conduct might contain, or will it simply be left to the local authority to do its best?

Andrew Stunell: The Local Government Association has given notice that it sees itself as—I do not want to put words into its mouth and say the custodian—the focal point for ensuring that a standard code of practice is available. I would have thought that the huge majority of local authorities will continue to have a published and open code of conduct. Indeed, I should have thought that it would reflect adversely on the reputation of a local authority if it chose not to do so. However, the right place for that decision to be taken is in that local authority in the light of the views of its electorate; it is not something that should be imposed from above.

Jim Shannon (Strangford) (DUP): In Northern Ireland, we have a stringent code of conduct for local authorities. Has the Minister had any discussions with local authorities in Northern Ireland on using that blueprint for a code of conduct under these proposals?

Andrew Stunell: I am sure that the hon. Gentleman is aware that the Bill is not applicable in Northern Ireland. Currently, every local authority in England has to have a statutory code of conduct, so we are not for want of an example. We are saying that there should be flexibility about the shape and nature of the code, and that that flexibility should be exercised by the local authority.

On EU fines and infractions, I assure the House and the hon. Member for Worsley and Eccles South that we will ensure that any process to pass on an EU fine is fair, reasonable and proportionate, and we will consult on that. We will pass on a fine only if an authority has clearly caused or contributed to causing it, and has the power to remedy the situation and can afford to pay. That is set out in new clauses 13 and 14 and in Government amendments 132 to 143. The measure is not about Ministers reclaiming every penny; it is about giving a strong encouragement not to incur fines in the first place. Local authorities must not be able to assume that if they make a mistake and are in the wrong, the UK taxpayer will pay their bill for them.

It is perhaps worth rehearsing what the process is. EU grants are given with conditions attached. At present, the monitoring, and therefore the risk, falls to central Government and their agencies. In the new, devolved world, that will not always be the case, and with the transfer of control has to come a transfer of risk. The Government do not seek to offload risks that are beyond a local authority's control—mention has been made of air pollution targets and so on.

That will all be set out in a policy statement, and I can say today that we are making good progress on that. I am placing in the Library a paper from the Greater London authority that has emerged from some of our earlier discussions, and I would very much welcome comments on it. We do not necessarily agree with every single part of it, but it will provide a strong basis for discussion over the next few weeks and we are committed to taking that discussion forward. We have also engaged with the Local Government Association and will continue to do so.

We debated fire and rescue authorities in Committee, and our amendments 92 and 93 are a response to the concerns that the Opposition raised and feedback that we have received from industry partners. They relate to authorities' powers to charge for attending persistently malfunctioning or wrongly installed automatic fire alarms. It is not in dispute that there should be such a provision for non-domestic premises, but the point was made that domestic premises would also be caught by that power, and probably wrongly so. The amendments simply remove that option from fire and rescue authorities.

We also discussed pay accountability in Committee, and we undertook to return to the House on the matter of greater accountability on low pay in light of Will Hutton's report on fair pay in the public sector. His report made some clear recommendations, particularly about the benefit of setting decisions on senior pay in the context of the pay of the rest of a body's work force. Some of the Opposition's amendments are in the same tone. We are sympathetic to that idea, particularly the potential for linking lower pay with senior pay, and we will consider the best way to take that forward. If necessary, we will return to it in the other place. As we do so, we will remain mindful of the level of burden placed on authorities and ensure that pay decisions remain ones for the appropriate local employer to take and are not dictated by us.

On the other hand, we do not think it would be helpful to use the Bill to address the pay of contracting bodies. Councils, the voluntary sector and businesses, especially small firms, have called on the Government to remove unnecessary burdens and break down barriers in local authority contracting, not increase them. That does not prevent a local authority from developing a local policy to ensure that bodies with which it contracts are open about their rates of pay as a matter of contract. That should remain an issue for local decision making, not central determination.

We have a very large group of amendments, and you no doubt have a large group of Members wishing to speak, Mr Deputy Speaker. I apologise to the House on the one hand for taking so long and on the other for dealing with some very important topics only in skeleton form. I am pleased to move new clause 12, and in due time I will wish to move the other Government new clauses and amendments in the group. I undertake to listen carefully to Members' contributions as the debate proceeds.

Barbara Keeley: I am glad that Ministers are still so interested in my website—it makes it worth all the effort of keeping it up to date.

I shall speak first to amendments 36 and 37, which are related to new clause 12. They are intended to protect a list of the most important duties of local councils from the powers that the Secretary of State wants to take in clause 5(1) and (2). I should remind the Minister that he did not answer my question about new clause 12 not applying to clause 5(2). I see that Ministers are looking at the Box and seeing if they can find some inspiration over there.

As I said on Second Reading, the Secretary of State's power under clause 5(1) and (2) is chilling, because it would allow him to

> "amend, repeal, revoke or disapply"

any statutory provision. The Government can keep calling that barrier-busting, but it will still end up being the same swingeing power. The difficulty for those who are opposed to it is that it would leave local councils and the people who use their services at the mercy of the ideology of the current Government and Secretary of State. I know from the debates that we had in Committee that some of the Ministers were opposed to giving Secretaries of State such a level of power in previous local government Bills, and spoke against it. Perhaps they would like to think about why they have had such a change of heart.

Since our debates on the Bill started, the Department has launched its review of the statutory duties of local councils. That means that the nature of the power in question, and how it will be used to sweep away what councils are starting to see as burdens, is now much more under the spotlight. The Government's focus on duties as "burdens" has caused alarm and great concern to people who rely on the services of their local council. Their concern about the extent of the Secretary of State's powers to sweep away councils' duties is greater because of the language that the Government are using to describe the vital duties on which people depend. In the review, councils and the public were asked to specify the bureaucratic burdens that they wished to throw away. In fact, Ministers have allowed all the duties of councils to be listed, and voted on, as "burdens", "red tape" or "bureaucratic barriers". In using that language, they do not appear to have considered the importance of many of the statutory duties of local councils.

Strangely, we now find ourselves bartering to try to find out which particular duties might be safe and protected from the Secretary of State. The Department's website states that the only duties that might be protected are those on libraries and child protection, but the Under-Secretary of State, the hon. Member for Bromley and Chislehurst (Robert Neill), ventured in a recent letter to *The Guardian* that allotments were also safe. It is not reasonable to have only vague reassurances on three out of all the duties of local councils. We have therefore tabled amendments 36 and 37, and I say to Ministers that they must be clearer about protecting the vital duties of local councils—duties that legislation has created, which provide important protections and services on which people rely—from the power that the Secretary of State wants to

> "amend, repeal, revoke or disapply"

any statutory provision.

Members should make no mistake about it: there are real concerns about that power. Professor Luke Clements is a leading expert on community care law, and in an article about the statutory provisions that could be swept away by the new power, he stated:

> "The list includes large swathes of the Mental Health Act 1983, the Children Act 1989 as well as virtually every community care and carers statute. The suggestion that protecting children or frail elderly people from abuse could be…'burdensome' is further evidence of the coalition government's disdain for the very notion of a welfare state."

He said of the Government's approach:

> "It is a contempt that has already created a largely lawless regime where fundamental rights, such as the right to a face-to-face assessment"

and

> "the right to have assessed needs met regardless of resources…are openly flouted. It is a regime that fuels the daily news stories of disabled, elderly and ill people being failed by public bodies, and experiencing neglect and extreme indignity. In the face of this, the response of the coalition government is not to strengthen the law, but to suggest that it be trashed."

Andrew Stunell: I have really been disappointed by the hon. Lady's remarks, which are a travesty of what is in prospect. I spent perhaps a little too long in my speech explaining precisely what new clause 12 will do and making it absolutely clear what it will not do. I am sorry to say that she is making it up, which is not good.

Incidentally, I can answer the hon. Lady's question about clause 5(2)—as she suggested, inspiration has arrived. It relates only to overlapping powers, so by definition it will not change local authority powers or duties because it will take away only one of the overlapping powers.

6.30 pm

Barbara Keeley: I am afraid that I am not convinced by that, and I am not making this up. I know Professor Clements, because he helped to draft much of the carers legislation that went through the House as private Members' Bills. He, among others, is very concerned.

To respond to the Minister's point, part of the difficulty is that the conditions set out in Government new clause 12(2) are subjective. It is another lawyers' charter, because they will have to settle the question of whether or not legislation fits those conditions. The key point is that all the decisions lie completely within the judgment of the Secretary of State. That is what is making people

[Barbara Keeley]

uncomfortable. There is great concern about sweeping away the laws, rights and protections for those who need care. Yesterday in the Palace, I attended a gathering of five all-party groups on disability—I attended as the chair of the all-party group on social care. Two questions were asked of the Bill and the review, and there was a chorus of concern in the room. Ministers can attack me if they want to, but I am representing concern from outside the House.

Citizens Advice has told MPs that it is worried about the broad-ranging powers that clause 5 confers on the Secretary of State. It is worried that the power will be used to revoke or repeal a number of statutory provisions, such as the public sector equalities duty.

Yasmin Qureshi (Bolton South East) (Lab): The Prime Minister says that he wants power to be given back to local people. Does my hon. Friend agree that giving the Secretary of State 126 new powers contradicts that?

Barbara Keeley: That is a contradiction. In fact, the 126 or 142 new powers—we can count them in different ways—are of great concern.

The list of legislation that we propose in amendment 37 for protection from those new powers may not be perfect—I am sure people can find fault with it—but it is vital to get a clear steer from Ministers that they do not intend to continue to see important council duties as burdens. Does the Secretary of State agree that the Homelessness Act 2002, which is on our proposed list, creates a vital duty for councils to have a strategy for tackling homelessness, or does he agree with Hammersmith and Fulham council, which has asked for that duty to be scrapped? Hammersmith and Fulham also wants to scrap the rough sleeper strategy, and wants not to assess the sufficiency of locally available child care. It wants no requirements on its youth service. Do Ministers believe that Hammersmith and Fulham should be able to shed those duties? That is the key question.

Councils such as Hammersmith and Fulham want to shake off what they view as burdensome duties, but the Opposition's view is that those council services are vital and should be protected. A list of what is vital and to be protected is the key to that. In Committee, the Minister said:

> "Every local authority will retain duties enshrined in other legislation to provide services and not to charge for them, if charging is not allowed at present."—[*Official Report, Localism Public Bill Committee,* 1 February 2011; c. 184.]

However, Hammersmith and Fulham wants not to have plans for homeless people, and Wandsworth council plans to charge children £2.50 to use a playground. That is where we are. It is time for Ministers to end the uncertainty that they have generated with their sloppy plans for revising legislation on council duties. It is time for them to reintroduce certainty, so that people know that councils must provide land for allotments and an efficient library service, assess carers' needs, and have plans for tackling homelessness.

I welcome the Minister's partial sympathy on proposed new clauses 27 and 28 and the proposed amendments on pay transparency and very much look forward to developments. Much has been said in recent months on top pay in local government. I am sure that Ministers would agree that a great deal of that talk has been stoked by the Secretary of State for Communities and Local Government. However, he has tended not to show the same concern for the lowest paid staff, or for levels of pay among consultants and contractors, who provide £38 billion-worth of goods and services to local government, which is paid for out of the public purse.

Our proposals aim to introduce pay transparency much more fully than the Government plan. We want to shine a light on top pay and low pay, and I welcome the Minister's sympathy for that. However, the Opposition also want to develop the recommendations in the Hutton review on pay. Ministers said that they would reflect on that review, and I hope they take that seriously. All hon. Members agree that there has been some excessive growth in senior roles in the public sector, but there are also myths about public sector pay. The Local Government Association estimates that of 1.7 million employees in mainstream local government jobs, 60% earn less than £18,000 a year. According to the LGA, more than 400,000 council workers earn less than the living wage, including more than 250,000 who earn less than £6.50 an hour.

Kelvin Hopkins (Luton North) (Lab): My hon. Friend makes a strong point. As a former Unison trade union officer, I know that a high proportion of those low-paid workers—a big majority—are women.

Barbara Keeley: Indeed, a quarter of those who experience in-work poverty are employed by the public sector. In addition, the average public sector pension, at £4,200, is very far from the gold-plated pension that people talk about. Our proposals would introduce greater transparency and help the objective of curbing excessive pay at the top of the scale, because it will be harder for a highly paid council chief executive to defend his or her pay if the public can see what that council pays its lowest-paid members of staff.

The Opposition believe that as well as an approach on top and low pay, we need a fair and consistent approach to transparency in local authority pay. As my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) said in Committee, Will Hutton's report puts paid to the myths. Public sector employees earn only £1 of every £100 earned by the top 1%, or to put it another way, out of every £100 that is earned by the top 1%, only £1 is earned in the public sector. Therefore, the perception that the public sector is awash with fat cats is a myth, and it does not help when DCLG Ministers spend their time building that myth as a way of dealing with top pay.

The Hutton report confirms that increases in executive pay have been a private sector phenomenon. That is why tackling excess pay should happen not just in the public sector. We should also focus on pay in the private sector when money is paid from the public purse—that is the test. Staff on outsourced local government contracts tend to be concentrated in low-wage sectors such as cleaning, catering, low-skilled manual work and care work. One key question for hon. Members is this: do we want cleaners, care workers and teaching assistants to earn a living wage? The Opposition believe that they should earn such a wage. We therefore hope that Ministers and Government Members agree that the implementation of a senior pay policy in local government would be a double standard if the same logic is not applied to contractors, not least because the local government procurement market is valued at £38 billion.

Will Hutton said in his report that

> "it is important that the Fair Pay Code and as far as possible the other recommendations of this Review are extended into the public services industry."

I hope that Ministers—I welcome the Secretary of State to the Chamber—support Hutton's proposals to extend pay transparency to those private sector contractors who are paid out of the public purse. Implementation of our proposals would help to ensure that executive pay does not spiral up, that low pay is challenged, and that people can be confident that their local council is spending their money fairly and wisely.

Finally, I support amendments 39 to 41, which are in my name and those of my hon. Friends the Members for Plymouth, Moor View (Alison Seabeck) and for Birmingham, Erdington. The proposals would remove the power of the Secretary of State, who has just joined us in the Chamber, to direct or order the imposition of shadow mayors. That is one of the most controversial measures in the Bill, and it represents the Government at their most centralising. The Government want to order a local authority to cease its existing form of governance and begin to operate a mayor and cabinet executive. Ministers spent months denying that they intended to try to impose shadow mayors.

I remind the Secretary of State that he gave the following answer to my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) on 21 October 2010:

> "She seems to be suggesting that we would somehow impose mayors on those 12 cities, but of course we will not-that is completely out of the question. The proposals will be subject to referendums. Once we know the views of the people in those 12 cities, we will move on to the election of a mayor if people vote for that."—[*Official Report*, 21 October 2010; Vol. 516, c. 1117.]

[Interruption.] I am getting some confusing signals from Government Members. On the same day, to be clear about the Secretary of State's intentions, my hon. Friend the Member for North Tyneside (Mrs Glindon) asked him again whether it was his intention to turn council leaders into mayors before holding a referendum. He stood at the Dispatch Box and referred my hon. Friend back to the earlier question:

> "I ruled out the possibility that we would be imposing mayors. This will be subject to a referendum."—[*Official Report*, 21 October 2010; Vol. 516, c. 1125.]

He was absolutely clear. However, the proposal in the Bill directly contradicts what the Secretary of State said on that occasion and on other occasions. It is further proof of a Government who say one thing and do another, and it raises further questions about whether what they say can be trusted at all.

Since the debate began on the proposal to impose mayors on 12 of our largest cities, opposition has bubbled up and developed all over the place. Indeed, the day after the Localism Bill was announced, the leader of Bradford council, Councillor Ian Greenwood, told the Bradford *Telegraph and Argus* newspaper that he was uncomfortable with being given an office to which he had not been elected. In that article, he said:

> "My view is this is not the right thing for Bradford... I am uncomfortable about being given an office I wasn't elected to. I don't feel it's the right thing to do. Leadership is not about dictating, it's about taking people with you".

Steve McCabe (Birmingham, Selly Oak) (Lab): Does my hon. Friend accept that we need a clear line on this? The Secretary of State's apparent proposal for Birmingham would mean that the person who lost the election this May and will lose it again next May will be imposed on the people of Birmingham, irrespective of how they vote. Surely there is nothing democratic about that.

Barbara Keeley: No, there is absolutely not. I thank my hon. Friend for making that point.

Hon. Members will be interested to know the extent to which there is all-party opposition to these proposals in Bradford. The Conservative group leader on Bradford council also argued against the imposition of a shadow mayor in that city. In the same article, Councillor Anne Hawkesworth said:

> "My colleagues and I are not supportive of elected mayors... We do not think that the proposals are suited to the needs of...Bradford."

Last week, the same issue was reported on again, when the hon. Member for Bradford East (Mr Ward) said:

> "My view is that it should be for the councils to decide if they want to go down the referendum route. The referendum shouldn't be imposed."

The Opposition agree. Shadow mayors and referendums on having a mayor should not be imposed. In Bradford at least, it seems, there is Labour, Liberal Democrat and Conservative opposition to the Government's proposals. However, there has also been opposition in other councils, including Leeds city council.

Mr Clive Betts (Sheffield South East) (Lab): While my hon. Friend is running through a list of authorities, will she also refer to Sheffield—now a Labour-controlled authority, of course? There has been cross-party agreement between Labour and Liberal Democrats, and all are opposed to any mayoral system at all, and certainly opposed to shadow mayors. I am sure that were there any Conservative councillors in Sheffield—which there are not—they would be joining in the opposition as well. Is it not a strange system in which a mayor's legitimacy comes from being elected by the public, but a shadow mayor's legitimacy comes from being the representative of most councillors on a council? In Sheffield, that majority of councillors are opposed to the proposals.

Barbara Keeley: Absolutely. I was not going to go through a complete list, but I welcome hearing about what has happened in Sheffield.

It seems that Yorkshire is turning against these proposals en masse, and there has been opposition in other councils—for example, in Leeds city council. The *Yorkshire Post* quoted its leader, Councillor Keith Wakefield, as saying that these proposals are

> "not acceptable in today's democracy... If people decide they want an elected mayor that's what they should have, but do it following a vote... I think the idea of a referendum is OK where people have an opportunity to say yea or nay. What's not right is putting you in a position where there's been no vote."

I understand that he would turn down the position whatever happens.

I hope that the hon. Member for Bradford East and his colleagues will support our amendment 41, and vote against the imposition of shadow mayors and referendums on their local councils.

Gavin Barwell (Croydon Central) (Con) *rose*—

Barbara Keeley: I am about to conclude, so as to leave time for other Members to speak.

[Barbara Keeley]

I regret that a new group of amendments on scrutiny was not selected for debate tonight. It was debated in Committee, and I hope that it can be taken forward to the other place. I would like to underline again and again that we are still opposed to EU fines.

6.45 pm

John Stevenson (Carlisle) (Con): I am grateful for the opportunity to speak on Report on this important Bill. I appreciate that there are a lot of amendments, however, and that many hon. Members wish to speak, so I will be as succinct as possible. I would like to refer to amendments 2 and 3. They are small but significant amendments that deal with the election of elected mayors. Because of their significance, I hope to press them to a vote tonight, unless Ministers see their merits.

I fully subscribe to the localism agenda. I believe that we have become an over-centralised state, with too much power at the centre, whether with Ministers or civil servants. The Bill will start to turn the tanker around. I accept that progress will be slow, but it will take the agenda in the right direction. On Second Reading, I said that a cultural change was required first in Whitehall, with less interference and prescription from the centre, and, secondly, in the town hall, with people there taking more responsibility. However, localism has three strands: the division of power; tax-raising powers; and governance. I would like to concentrate on governance, particularly elected mayors.

I am a strong supporter of the concept of elected mayors. That is the direction in which we should be going. They are open, transparent and accountable, and I also believe that they will help to revive local government. I thought that there was broad cross-party support for them, because they were introduced by a Labour Government in 2000, and because, obviously, the coalition Government are retaining the concept and looking to introduce 11 new mayors in due course.

Kelvin Hopkins: I accept that elected mayors were a Labour concept, although I was not in favour of them. It is noticeable that across the country many local authorities have rejected the idea, and that many of those who voted for them now regret doing so.

John Stevenson: I accept that they are not universally supported by all parties, but I believe that there is broad support. The hon. Gentleman raises a separate point, though, because there are several reasons why elected mayors have not caught on. However, I want to concentrate on my amendment 2 about their actual election.

At present, mayors are elected under the supplementary vote system, which is retained in the Bill. Effectively it is a form of the alternative vote. My amendment 2 would change that so that future elections are done under first past the post. That would provide a consistent approach to elections. Varying the voting system creates confusion and a lack of certainty for the average voter. Two weeks ago, this country went to the polling booth for a referendum on whether we wanted AV or first past the post. Had the voters supported AV, I would have withdrawn this amendment. I would have accepted the will of the people. In fact, there was an overwhelming and emphatic vote for first past the post. As one hon. Member said to me, "The people of this country did not say no; they said never." I accept that judgment, but I believe there has to be consistency. I support the amendment on the basis that we should have a consistent approach to our elections and that elected mayors should therefore be elected under first past the post. I genuinely hope that the House will agree with what the people said two weeks ago and support the amendment.

Graham Jones (Hyndburn) (Lab): I want to address new clauses 13 and 14 on EU fines. I believe that ministerial advice stated that individual fines to local authorities would be appropriate where there was a direct causal link, and where councils were guilty of action or inaction. One example is waste, on which I would like to address two key issues: EU directives on recycling and landfill taxes.

The Local Government Association briefing is dismissive of the Government's proposals. It states:

> "Moves to allow Ministers to force English councils to pay parts of fines imposed on the UK government by the EU are unfair, unworkable, dangerous and unconstitutional. This is an unprecedented power for Ministers to avoid Parliamentary scrutiny and will inevitably lead to legal battles as Government tries to apportion "blame" for EU fines."

The LGA urges that the policy be scrapped, and continues:

> "In effect it means a Minister may simultaneously be prosecutor, judge, jury, and co-defendant, when Ministers themselves may actually be responsible for fines being levied. This is neither impartial nor localist."

There are reasons why the Government are responsible for such fines perhaps being levied, but I want to address the confusion that seems to exist in Government. The Minister for the natural environment—the Under-Secretary of State for Environment, Food and Rural Affairs—said in Committee in March that local authorities would not face what I describe as "bin taxes", which are charges on local authorities and their residents for not reaching the EU's 50% threshold. I asked him:

> "I want to press the Minister on EU fines for England and Wales on waste collection. Does he support the individual fining of authorities that do kerbside collection and that are struggling to reach 50%, as suggested by the Secretary of State for Communities and Local Government?"

The Minister replied:

> "I can tell the Committee that local authorities will not be fined individually for not achieving 50%. I can give that assurance…If we are failing, it will be lamentable".—[*Official Report, Fourth Delegated Legislation Committee,* 8 March 2011; c. 9-10.]

There seems to be a great deal of confusion between the Department for Communities and Local Government, and the Department for Environment, Food and Rural Affairs on this issue. To be honest, I would like the proposal scrapped, but we at least need some clarity on how to reach 50% recycling rates and avoid EU fines.

The Bill does nothing to protect my constituents, particularly given that councils in east Lancashire have been hit extremely hard by DCLG cuts. Residents in my local authority, which was Conservative until last Thursday night—thankfully we now have a Labour authority—had achieved a 40% recycling rate, or just under. In effect, we are talking about a bin tax by any other name, and it is unfair. The message to the Minister this evening is that it is not the fault of the residents of Lancashire. The county council's waste private finance initiative schemes would have resulted in a 90% recycling rate, but they were scrapped a few months ago. Up until a few months ago we had a strategy that would have enabled us to avoid EU fines, and we are talking about some of the most deprived communities in this country.

There are also issues around recycling centres. If the Government will not invest in recycling centres, or if the spread of recycling centres across the country is disproportionate, that is not fair either, but that is a Government policy. It is not an EU policy; it is a policy that the Government will be answerable for. The LGA is quite correct to say that the Government will be held to account; indeed, this issue could end up in the courts.

However, there is a second, more important reason why the scheme is not fair—a reason that I put to the Under-Secretary—and it concerns the difference between kerbside and co-mingled collections. Kerbside collection rates are around 30% to 40%, whereas co-mingled collections through recycling centres are hitting 80%, 90% and beyond. Local authorities in areas with co-mingled recycling will have high collection rates, but they will also have problems with contamination, which I accept. The Government are trying to encourage people not to co-mingle, but to separate. However, collection rates in areas with kerbside collections are much lower, so EU fines are unfair.

The Minister of State, Department for Communities and Local Government (Greg Clark): I do not want to stop the hon. Gentleman in his tracks, but I think that I can reassure him. He is operating on completely the wrong premise. There is no suggestion at all that a fine would be levied on an authority because of its performance on recycling rates. The only suggestion is that if the authority does not adopt a plan as required—that is, something specifically required of that authority—and if it has been warned that it needs to have one, that will be the occasion for a fine. That authority's performance is completely irrelevant, whatever it might be. I hope that that will reassure the hon. Gentleman and allow him to return to the issue at hand.

Graham Jones: I thank the Minister for that, because he is essentially saying that he has just ripped up his own new clause, which now has no teeth—he has just taken them all out. If local authorities are to come up with a plan, they will come up with one and carry on recycling at 30%. However, the Minister is not going to say to local authorities, "Well, actually, because you've got a plan, we're going to do something about it." Instead, he will be saying, "You've got a plan, so we're going to do nothing about it." He has taken all the teeth out of his own new clause, so why has he proposed it? Why has it taken him until today to say what he has said this evening, and why do ministerial statements say that the proposal involves waste? He is effectively telling people that—

Greg Clark *rose—*

Graham Jones: I would like to finish speaking.

Greg Clark *rose—*

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. It is up to the Member speaking whether they wish to give way. The hon. Gentleman has given way once, and if he wishes to do so again, I am sure that he will let the Minister know.

Graham Jones: I accept what the Minister has said on the record, which he made absolutely clear. The new clause has no value, but I would say—

Andrew Stunell *rose—*

Graham Jones: No.

The Minister of State had the opportunity before to say what he has said this evening, but there are real issues—*[Interruption.]* That is fine, but it is the Government who are putting forward their new clause, which now has no teeth.

In conclusion—because I was wrapping up—the LGA says that the proposal will be problematic to enforce. What are the Government enforcing? How can local government increase recycling rates for residents? If action is to be taken, it will hit some of the poorest communities that have higher recycling rates, not some of the wealthiest ones, and the same goes for landfill taxes. I appreciate Ministers' comments, but as far as I am concerned, I am delighted that all the teeth have been taken out of this proposal.

Philip Davies: I certainly hope that the Minister will give me as helpful a response as he gave the previous speaker when he considers my amendments.

My new clause 8 would allow local authorities to vary Sunday trading hours in their areas. As hon. Members will know, under the Sunday Trading Act 1994, large shops over 280 square metres may open for only six continuous hours between 10 am and 6 pm on Sundays, excluding Easter Sunday, when they must remain closed. I think that this is rather anachronistic. Sunday trading is increasingly popular. I have no interest to declare, but I do have some experience to declare, as somebody who worked for Asda for 13 years. In my time there, Sunday trading hours were the busiest hours of the trading week. Contrary to common belief, Sunday trading hours were also the most popular hours that members of staff wished to work, because for many people Sunday was one of the few days on which they could do additional hours, as they had other people at home looking after their children and so on. If people want to shop on a Sunday or work for certain hours, I do not really see what business the Government have telling them what hours they can do.

Members may be aware that Scotland has a different regime. Sunday trading is fully deregulated in Scotland, although, under the Sunday Working (Scotland) Act 2003, workers have the right to refuse to work on Sundays. I am not aware that the whole world has collapsed in Scotland as a result of deregulating Sunday trading hours. In fact, my experience is that it has proved to be incredibly popular with both customers and workers alike. I would like workers and shoppers in England and Wales to have exactly the same rights to shop or work in shops at a time of their choosing as people in Scotland have.

My new clause 8 would not give local authorities the opportunity simply to extend Sunday trading hours, because I believe in true localism. My new clause also offers local authorities the opportunity to restrict Sunday trading hours further, if they so wish. If we believe that decisions should be taken locally, we should give local authorities the widest possible ability to make decisions to suit their areas. In areas that need extra regeneration, the opportunity to open for extra hours on a Sunday

[Philip Davies]

might be welcome, as it may benefit the local authorities in such areas. I do not see why the Government should stand in those authorities' way if they believe that to be an important part of their regeneration strategy. Other local authorities may wish to restrict Sunday trading hours. I would not advise them to do so—I do not think it would be very popular—but that would be up to them, as democratically elected local authorities. So I hope that the Minister will explain whether he agrees with my proposed extension of the principle of localism. If he does not agree, will he tell me what on earth his objection is to extending a right to the people of England that the people of Scotland already have?

7 pm

My other amendment is amendment 15, which relates to elected mayors. I fully support the amendment tabled by my hon. Friend the Member for Carlisle (John Stevenson) which proposes that such elections should be run on the first-past-the-post basis. I ought to declare a slight interest, in that my father is the elected mayor of Doncaster. He was elected under the system described by my hon. Friend, and he would not have been elected under first past the post, because he came second in the first ballot. Some might argue that my views are rather altruistic, in that I do not support a system that has benefited my dad; instead, I want to do what I think is genuinely the right thing for the country. Others might argue that my father being elected under the alternative or supplementary vote system could well be the best possible argument for first past the post. I would not like to comment on that; I will leave it to others to make that decision.

Graham Stringer (Blackley and Broughton) (Lab): Will the hon. Gentleman give way?

Philip Davies: I want to press on, because the Government have allocated a shameful amount of time for this debate and other people want to speak.

I support first past the post, even though my father would have been disadvantaged by it. My amendment 15 proposes that there should be a two-thirds reduction in the number of councillors in local authority areas that have an elected mayor. There are already far too many local councillors; Bradford has 90, for example. The US Senate has only 100 people in it, for goodness' sake. Why do we need 90 councillors in Bradford? If we are to have an elected mayor as well, why on earth should we have an additional layer of bureaucracy, more expense and more levels of local politicians? If we are going to have an elected mayor, for goodness' sake let us reduce the number of local councillors at the same time and save the council tax payer some money. I hope that the Government will accept my rather modest amendments, but if they do not, I will certainly be interested to hear their reasons.

Kelvin Hopkins: I entirely endorse what the hon. Member for Shipley (Philip Davies) said about first past the post. I am not a supporter of elected mayors but, if we have to have them, they should be elected by the first-past-the-post system. He is absolutely right.

I rise briefly to speak to my amendments 353 to 357, which would delete clauses 30 to 34. The clauses relate to fines to be imposed by the European Union. I find the whole idea of such fines complete anathema—[Hon. Members: "Hear, hear!"] I thought that I might get some support in the Chamber on that point. We could quite easily leave out all reference to the EU, and I would like to see that happen.

I note that the Minister, in introducing the new clause, said that he had already had discussions with the Local Government Association. The LGA is very concerned about this issue, as my hon. Friend the Member for Hyndburn (Graham Jones) rightly said. I hope that the Government will think again and simply delete any reference to the EU. Rather than giving freedoms to local authorities, their proposals will put an imposition on them. They would place more central control on them, rather than leaving them to their own devices and giving them more freedoms.

I hope the Minister will think about this and that the Government see fit, during the later stages of the Bill, to delete any reference to the EU. I strongly support the LGA's view, which was ably set out by my hon. Friend, and I hope that the Minister will give this matter some thought. I shall not press my amendments to a Division, but I hope that he will bear in mind my feelings and those of many other Members.

Mr David Ward (Bradford East) (LD): I am grateful for this opportunity to place my views, with which those hon. Members who served on the Public Bill Committee will already be familiar, on the record, and I apologise for any repetition. I fully support amendment 41; indeed, there are many amendments that I could support, and many more that I would like to have seen that no one else would have supported. I feel strongly about this one, however. It relates to elected mayors and shadow mayors, and to the executive powers of the mayors. Amendment 41 deals with something that symbolises everything that is wrong with the Bill.

There is nothing worse than waste, and there is nothing worse than a wasted opportunity. The Bill is a colossal wasted opportunity for the House to consider the relationship between central and local government. We have profoundly let down the democratic system by not reviewing that relationship. We could have looked at what other countries do, and agreed some basic principles against which any measures relating to local authorities could have been evaluated. I agree with Professor Stewart and Professor Jones, who gave evidence to the Bill Committee, that this is a centralism Bill, rather than a localism Bill. How different it could have been if the will had been there to make it so.

Opposition Members will no doubt be delighted to learn that, in my local authority, the Lib Dems lost a seat to Labour. We lost it in an election in which nearly seven out of 10 electors did not turn out to vote. At a time when politics is divided, and when big issues are dividing the nation, we again need to ask profound questions about why people are so reluctant to turn out and vote. We need to ask questions about the quality of the candidates, as well as about the turnout. We also need to ask what the measures in the Bill will do to address the serious democratic deficit in this country. We know the reasons behind the problem. We know that, when we knock on the doors, people say that we are all the same. The reality is that that is largely true. It is hard to be different in local government. The discretion and freedom to be different have disappeared, year by year, Government by Government.

In Committee, I mentioned local authority budgets. Bradford has a budget of more than £1 billion, yet we end up discussing only £1 million or £2 million. Local politicians expend a lot of hot air disputing those amounts, while the vast majority of the budget is beyond their control. Yes, we are largely all the same. The Bill could have removed barriers and restrictions. I do not understand why, when we are desperate to remove barriers to the private sector to encourage initiative, entrepreneurship, enterprise and freedoms, we do not do the same thing at local government level. Those barriers will remain after the Bill has been passed.

The Government are still overbearing, arrogant and interfering. They are still ruling by stipulation, by compulsion and by bribery. They provide handouts that local government can spend, but on one thing only. How many times have Members who were formerly councillors known that the only show in town involved doing whatever the Government were funding? They were not given the discretion to spend that money as they wished. The funding would go only to the private finance initiatives or to academies, for example. We, as locally elected councillors, were not given the money and asked how we would like to spend it. Remember the bribery involved in the swimming campaign and the free school meals? The initiatives lasted for one year only, and we had to pick up the tab the year after. They were introduced simply to facilitate ministerial press releases.

None of this will be changed by the Bill. Councillors are used and abused. The Treasury insists on controlling the finance, and without financial freedom, there is no democratic freedom. The low opinion of local government held by people in this place staggers me; I am appalled by it. An example is the outrageous front-loading of the cuts. Instead of local government being seen as a partner to help us through the financial crisis by contributing to the deficit reduction over a period of time and being asked for help to deal with it, the cuts have been imposed on it from above by a Government who claim to support localism.

I support amendment 41. My views on elected mayors are, quite frankly, my business and they should be expressed in a ballot if my council decides that that is what it wants to do. I will participate in that debate—not in this place, but where it should take place: in council chambers up and down the country. Yes, we should set parameters and controls; yes, we should demand disclosure, which was mentioned earlier; but for goodness' sake, let us breathe life back into a vital part of our democratic system.

Annette Brooke (Mid Dorset and North Poole) (LD): My hon. Friend makes a powerful case for the next localism Bill. Does he agree that it is important, even for those who might not support the amendments on the shadow mayors and related issues, to ask Ministers to look at these proposals again?

Mr Ward: Of course I agree.

Let me conclude by saying that it is time to set local government free. In that respect, the whole Bill, despite some good bits, is a wasted opportunity and thus a complete failure.

Heidi Alexander: I am conscious that many hon. Members wish to speak, so I shall limit my comments to a few. I applaud the hon. Member for Bradford East (Mr Ward) for his speech. I did not anticipate hearing comments like that from the Government side of the Chamber, but he is a man who says it as it is, and I respect his views and the way he put them.

I shall focus on two aspects of this group of new clauses and amendments: senior pay policy, dealt with in new clauses 27 and 28, and powers to make supplemental provision, as set out in amendment 37 to clause 5. Bringing transparency to senior council pay is entirely right. I accept that some people might have been paid excessively in some circumstances, but this constant bashing of chief executives and senior council officers by Ministers does a complete disservice to people who do an incredibly difficult job in councils up and down the country. Some of these people will have worked their whole lives in local authorities; others might have left good private sector jobs to work there.

Andrew Percy (Brigg and Goole) (Con): The hon. Lady is adopting a strange position in defending the massive increase in pay at the top of the public sector. Does she accept that her Government could have done something about transparency? When she talks about a disservice, is not the real disservice to the electors of our communities who have to pay the bills for these people who have earned incredible amounts of money over the last few years?

Heidi Alexander: I am not sure that the hon. Gentleman was listening. I said that I accepted pay transparency is a good thing at both the top and the bottom of an organisation. I accept that the previous Government could have brought forward measures to insist on pay transparency and I know that some local authorities were transparent. Many have independent remuneration panels that would take decisions about councillor pay. I know that my own local authority is certainly looking at having an independent panel to review executive pay. My point is that we should shine a light on abuses, but that this constant barrage is disproportionate.

These measures are, in my view, all about the Secretary of State getting a headline. Listening to him, anyone could be forgiven for thinking that if only 600-odd council chief executives were paid less, the national budget deficit would be dealt with. It will not. This is a complete red herring. Let us take the example of my local authority of Lewisham. The council's overall pay bill is £280 million, which pays for thousands of staff. The top 32 jobs of senior management account for £4.1 million; the five executive directors and the chief executive cost the council in the region of £1 million. Yes, £1 million is a huge amount of money, but we have to take account of these individuals' responsibilities and the repercussions they might face if they gave bad advice, took bad decisions or implemented bad management. When politicians make a bad decision, they might lose an election, but council officers doing the same could end up in prison.

Justin Tomlinson (North Swindon) (Con): The responsibility of chief officers has not changed. The last Government actively encouraged councils to be rewarded in inspections for being seen to pay high salaries, because that appeared to make the same officers better officers.

7.15 pm

Heidi Alexander: I have no experience of that happening. I would be interested to speak to the hon. Gentleman after the debate to learn more about his experience.

What puzzles me most about this Government's obsession with senior pay is that it comes at a time when they seem spectacularly unwilling to tackle excessive pay in the private sector. I represent a London constituency and I know that there are bankers, lawyers and accountants who, within five or six years of graduating from university, will be earning £60,000, £70,000 or £80,000 a year. That is not far off the wage of a head of children's services. I ask whether it can be right to put all the focus on senior council pay.

I agree with the amendments tabled by Opposition Front Benchers that deal with bringing transparency to low pay. Lewisham is an authority that has led the way on implementing the London living wage. As a result of its London living wage policy, 800 contracted staff are better off from the council's insistence on seeking invitations from contractors that put in a London living wage bid as well as a regular bid. I am proud of the work that the authority has done on that and I believe that there are ways of encouraging the public sector and local councils to do the same.

I had wanted to comment on amendment 37, but I am conscious of the time. It is strange how the Government are, drip by drip, telling us which duties they wish to protect—whether it be duties to provide a comprehensive and efficient library service under the Public Libraries and Museums Act 1964, or to provide allotments or whatever. Why did the Government not do this work before they put out their review of burdensome regulations? A couple of weeks ago, the Select Committee on Communities and Local Government heard the Minister for Housing and Local Government talk about the Department's decisive leadership in abolishing the Audit Commission. I would urge the Government to show some leadership in saying which of the "burdens" they value and want to see protected. It seems to be one rule for one thing and a completely different rule for something else. I think it is sloppy and poor government—sadly, I think many of the Bill's provisions are an example of poor government. I look forward to voting against some clauses and in favour of some amendments when we get the chance.

Zac Goldsmith (Richmond Park) (Con): We have so little time that I am going to cut straight to the chase; I hope not to take more than a minute or two.

I speak in favour of new clause 10, which I tabled and which is supported by Members from both sides of the House. It concerns the recall of councillors. I view this as a simple, obvious, "no brainer" idea, which I hope will be met with a nod of approval by both Front-Bench teams. I will briefly make the case for it.

As Members know, the Government are planning to introduce a recall mechanism for parliamentarians, whereby Members face being removed from office if their constituents so choose. The plans, in my view, do not go nearly far enough. MPs will be subject to recall only if a Committee decides that they have committed an act of serious wrongdoing. Recall is supposed to be about empowering people, not parliamentary Committees, so I shall seek to amend that provision when I have a chance. In the meantime, I was pleased that the Secretary of State promised to consider introducing into this Bill a recall mechanism for councillors. That has not happened, so I have done it for him.

I am fortunate in that my constituency is served by some excellent councillors, but we all know that there are some councillors who do very little for their constituents, so there should surely be a mechanism whereby residents can hold councillors to account during the four years in between elections in the same way as employees are in every other field of human endeavour. It cannot be right to ask Members to vote for measures that will introduce recall for parliamentarians, but not for councillors in local government, which is just as important.

My new clause would allow for

> "25% or more of the… voters in the constituency of an elected local government member"

to petition for and trigger a recall election. I think that that strikes the right balance between preventing vexatious recall attempts and empowering local people to hold their elected councillors to account. The new clause would greatly empower local people and would keep councillors on their toes, and I hope that it can be put to the vote so that the House can support it.

Mr Raynsford: I wish to speak, very briefly, to amendments 365 and 366, which I tabled and which relate to standards.

In his opening remarks on the programme motion, the Minister of State, Department for Communities and Local Government, the right hon. Member for Tunbridge Wells (Greg Clark)—who steered the Bill through its Committee stage—expressed a wish to listen to the views of people, whether they were members of the Committee, other interested parties, or people who had given evidence to the Committee. As he knows, an awful lot of people gave evidence, and many who gave evidence on standards gave very interesting evidence. Sadly, however, the Government did not listen to the evidence, including that given by the Committee on Standards in Public Life. The Government may be right in saying that there is a case for some streamlining of the standards procedure, and indeed I conceded that in Committee, but I am afraid that they are making a serious mistake in substituting for the existing machinery a framework that is incoherent, that is potentially extremely weak, and that will contain serious anomalies.

Let us examine those three problems. First, clause 17 allows the Secretary of State to require local authorities to establish a procedure relating to the declaration of interests, a breach of which will involve a criminal liability. Clause 16 allows the establishment of an entirely voluntary framework within which it will be up to a local authority to decide whether to adopt a code of conduct. That could lead to an extraordinary situation. Someone who had failed, perhaps owing to a technicality, to declare an interest as part of the mandatory requirement imposed by Government would be liable for a criminal action, whereas someone who had behaved in a deplorable way—who had bullied people, been dishonest, or behaved shamelessly in the council chamber—could emerge scot-free because the council concerned had chosen not to adopt a code of conduct. That is clearly unsatisfactory.

Secondly, there will be no code of conduct promoted by Government, like the model code that has existed in the past, that could serve as the default in the event of a local authority's failure to adopt its own code.

Thirdly, there is a serious risk that, under clause 16(2), a local authority that currently has a code of conduct could

"withdraw its existing code of conduct without replacing it."

Ministers claimed that they would leave this to local government—that they would do the right thing. At a time when we are all concerned about standards in public life, whether at national or local government level, it is extraordinary that they should produce a half-baked proposal which has not been thought through, which allows loopholes and anomalies to exist, and which—most seriously—undermines the substantial progress that has been made in recent years in improving those standards.

Although Ministers appear unwilling to accept the case for amendments in the House of Commons, I sincerely hope that Members in another place with real experience of these matters will press amendments to ensure that there is a more coherent, more satisfactory and more demanding framework to maintain standards in public life.

Andrew Percy: I served as a local councillor for 10 years under the previous standards regime, which was an abuse of and an assault on local democracy. As long as councillors do not break any criminal law, it is for the public who elected them to judge their behaviour. I was once referred to the standards board by a political activist for having dared to be a school teacher. The process wasted public money, because someone had to investigate, only to find it was all a load of old guff. It was a politically motivated referral, and there were countless examples of the same thing in my council chamber. Members on all sides reported each other for everything. That is a load of old nonsense, and the sooner it goes the better.

As for pay policy, I cannot support the amendments tabled by the shadow Minister, the hon. Member for Worsley and Eccles South (Barbara Keeley). It is incredible that the Opposition should advance such proposals, having done what they have done to public sector pay at the top. I recall that when the Labour authority in Hull was seen as a failing council—I believe that the right hon. Member for Greenwich and Woolwich (Mr Raynsford) was a Minister at the time—we were inspected by officials who told us that we must pay our senior staff more. We ended up with five corporate directors on outrageous salaries of £105,000 a year. *[Interruption.]* It is true: I was there at the time. We saw a massive explosion in pay. The suggestion that we should take lessons from the Opposition on the subject takes some swallowing.

I do, however, agree that there should be more transparency in regard to private contractors who work for local authorities. My local council, which was Labour-controlled until two weeks ago but is now Conservative-controlled, has spent £3 million on consultants in the last year, and spent millions of pounds in the preceding years. There should be more openness about how money is spent and how much people in the private sector are making. There is a good point behind the proposal, although, as I have said, it takes a little bit of swallowing given that the last Government presided over the pay explosion at the top.

Having made those few comments, I will yield to other Members who, I am sure, are keen to make their own contributions.

Martin Vickers (Cleethorpes) (Con): Let me first say how ably my hon. Friend the Member for Carlisle (John Stevenson) spoke to amendment 2, which concerns the first-past-the-post system for electing mayors. I shall certainly support him in the Lobby if he presses it to a vote.

The Government are clearly in favour of the principle of elected mayors, given that they propose to allow 12 of them in the Bill. What I want to know is why they are making it so difficult for local authorities to initiate the process. Local authorities will rarely, if ever, vote for a referendum on the election of mayors. Because of the cosy relationship that often exists between councillors, they view elected mayors as a threat. However, elected mayors can provide leadership and transparency and revitalise local democracy, and we should do all that we can to encourage them. My amendment 1 would reduce the threshold of the electorate who can petition for an elected mayor from 5% to 2.5%. I hope that the Government will see the wisdom of my proposal, and will support it.

Gavin Barwell: I want to comment briefly on three of the amendments that have been discussed so far.

I have a huge amount of sympathy for the arguments advanced by my hon. Friend the Member for Richmond Park (Zac Goldsmith) about a recall procedure for councillors, but, although I hope that the Government will reflect on the points that have been made and that such a procedure will be introduced eventually, I think it would be inappropriate for the House to introduce it before introducing a similar procedure for Members of Parliament.

I found it incredible that the hon. Member for Worsley and Eccles South (Barbara Keeley)—who would not take an intervention—should criticise the Government for forcing referendums on the governance structure of local authorities, given that the Government whom she supported forced virtually every council in the country to adopt executive systems of governance with no recourse to referendums.

Finally—I am conscious of the time—I strongly support the new clause about Sunday trading that was tabled by my hon. Friend the Member for Shipley (Philip Davies). He and I do not agree on many issues, but we agreed on two today, sentencing and Sunday trading. I also had a lot of sympathy with the point made by my hon. Friend the Member for Carlisle (John Stevenson) about first past the post. He spoke of the need for consistency, but his amendment would introduce a big inconsistency between the Mayor of London and other elected mayors. The Government should consider that issue in the context of the results of the referendum.

Andrew Stunell: The Localism Bill does what it says on the label. In Committee we tested and tweaked it, and today we are taking another step forward. I urge my hon. Friends and Opposition Members to give—

7.30 pm

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

New clause 12 accordingly read a Second time, and added to the Bill.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 10

RECALL ELECTIONS

'(1) If 25% or more of the registered voters in the constituency of an elected local government member sign a relevant recall petition then a recall election must be held on the same date as the next election (whether or not a local election) to be held in the constituency of the elected government member, provided that that election is not less than 12 weeks after the threshold has been reached.

(2) In order for a recall petition to be relevant the appropriate returning officer must be satisfied that—

- (a) the petition has been submitted in accordance with the rules provided for in subsection (3) and;
- (b) there is evidence contained in the petition that the elected local government member has—
  - (i) acted in a way which is financially dishonest or disreputable,
  - (ii) intentionally misled the body to which he or she was elected,
  - (iii) broken any promises made by him or her in an election address,
  - (iv) behaved in a way that is likely to bring his or her office into disrepute, or
  - (v) lost the confidence of his or her electorate.

(3) The Secretary of State must lay regulations before Parliament within six months of the passing of this Act setting out—

- (a) how notice of intent to petition for recall is to be given,
- (b) how "registered voters" are to be defined for different types of constituency,
- (c) the definition of "appropriate returning officer",
- (d) the ways in which registered voters can sign a recall petition,
- (e) the ways in which signatures to such petitions will be verified,
- (f) entitlement to vote in, and the conduct of, the recall election,
- (g) rules on any other related matters as considered necessary by the Secretary of State, and
- (h) consequential, saving, transitory or transitional provision (including amendments to existing statutory provision, whenever passed or made).

(4) The Secretary of State must issue guidance to returning officers on how to make assessments under subsection (2)(b) within six months of the passing of this Act.

(5) The question that is to appear on the ballot papers in a recall election is "Should [name of elected local government member] be recalled from [name of body or office]?".

(6) If at a recall election more votes are cast in favour of the answer "Yes" than in favour of the answer "No", then—

- (a) if the elected representative has been elected under a first past the post or alternative vote electoral system, he or she is recalled and a by-election must be held within three months in which the recalled candidate may stand, or
- (b) if the elected representative has been elected under a system of proportional representation, the next candidate on the relevant party list shall take the seat.

(7) In this section "elected local government member" means any person elected to the Greater London Authority, a county council in England, district council, or London borough council, including an elected mayor of the council; and the Mayor of London.

(8) Regulations under this section may not be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.

(9) Subsections (1) and (2) come into force six months after the day on which the regulations under subsection (3) are made.'—*(Zac Goldsmith.)*

Brought up.

Question put, That the clause be added to the Bill.

A Division was called.

Mr Deputy Speaker (Mr Lindsay Hoyle): Division off.

Question negatived.

Clause 5

POWERS TO MAKE SUPPLEMENTAL PROVISION

Amendment proposed: 37, page 4, line 22, at end insert—

'(6A) The power under subsection (1) or (2) may not be exercised to amend, repeal, revoke or disapply—

- (a) this Part of this Act,
- (b) Public Libraries and Museums Act 1964 section 7 or section 13,
- (c) Small Holdings and Allotments Act 1908 section 23,
- (d) Children Act 1989 Part 3 and Schedule 2,
- (e) Childcare Act 2006, Parts 1 and 2,
- (f) Child Poverty Act 2010 Part 2,
- (g) Equality Act 2010, section 88,
- (h) Equality Act 2010, section 149,
- (i) Care Standards Act 2000,
- (j) Chronically Sick and Disabled Persons Act 1970 section 21,
- (k) Transport Act 2000 section 145A,
- (l) Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000,
- (m) Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007,
- (n) Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007,
- (o) Carers and Disabled Children Act 2000,
- (p) Carers (Recognition and Services) Act 1995,
- (q) Disabled Persons (Services, Consultation and Representation) Act 1986,
- (r) Mental Health Act 1983 Part 8,
- (s) Community Care, Services for Carers and Children Services (Direct Payments) England Regulations 2009,
- (t) Public Health Act 1875,
- (u) Public Health Act 1936,
- (v) Commons Act 2006,
- (w) Countryside and Rights of Way Act 2000,
- (x) Natural Environment and Rural Communities Act 2006 section 40,
- (y) Wildlife and Countryside Act 1981 section 25 or section 28E,
- (z) Environment Act 1995 Part 4,
- (z1) Dangerous Wild Animals Act 1976,
- (z2) Prevention of Damage by Pests Act 1949,
- (z3) Hedgerow Regulations 1997,
- (z4) Planning (Listed Building and Conservation Areas) Act 1990 section 66 or section 72,
- (z5) Ancient Monument and Archaeological Areas Act 1979 sections 12 and 13,
- (z6) National Parks and Access to the Countryside Act 1949,
- (z7) Animal Welfare Act 2006 section 30,

(z8) Zoo Licensing Act 1981,

(z9) Marine and Coastal Access Act 2009 Part 6,

(z10) Flood and Water Management Act 2010 Schedule 3,

(z11) Working Time Regulations 1998 Regulation 28,

(z12) Education Act 1996 section 15ZA,

(z13) Food Safety Act 1990 Parts 1, 2 and 3,

(z14) Freedom of Information Act 2000,

(z15) Housing Grants, Construction and Regeneration Act 1996 section 1,

(z16) Housing Act 1996 Part 7,

(z17) Homelessness Act 2002,

(z18) Housing Act 2004 Part 2,

(z19) Local Government Act 1972 Part VA, section 99 or section 148,

(z20) Local Government Act 2000 Part 3 section 21 or section 37,

(z21) Children and Young Persons Act 1969 Part 1, or

(z22) Adoption and Children Act 2002.'.—*(Barbara Keeley.)*

The House divided: Ayes 225, Noes 303.

Division No. 273] **[7.38 pm**

AYES

Abbott, Ms Diane
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Gordon
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clwyd, rh Ann
Coffey, Ann
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Dobson, rh Frank
Dodds, rh Mr Nigel
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Engel, Natascha
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Riordan, Mrs Linda
Robertson, John
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Jonathan Reynolds and
Lyn Brown

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Andrew, Stuart

Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, rh Mr Simon
Burrowes, Mr David
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
May, rh Mrs Theresa
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill

Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
James Duddridge and
Stephen Crabb

Question accordingly negatived.

Clause 5

POWERS TO MAKE SUPPLEMENTAL PROVISION

Amendments made: 44, page 4, line 24, leave out from 'must' to 'consult'.

Amendment 45, page 4, line 28, at end insert—

'(8) Before making an order under subsection (1) that has effect in relation to Wales, the Secretary of State must consult the Welsh Ministers.'.—*(Robert Neill.)*

Clause 6

PROCEDURE FOR ORDERS UNDER SECTION 5

Amendments made: 46, page 4, line 30, after '5(7)', insert 'and (8)'.

Amendment 47, page 4, line 33, leave out from 'must' to 'undertake' in line 34.

Amendment 48, page 4, line 36, after '5(7)', insert 'and (8)'.

Amendment 49, page 4, line 42, at end insert—

(ai) the Secretary of State's reasons for considering that the conditions in section [Limits on power under section 5(1)](2), where relevant, are satisfied in relation to the proposals,'.

Amendment 50, page 4, line 43, after '5(7)', insert 'and (8)'.—*(Robert Neill.)*

Clause 8

GENERAL POWERS OF CERTAIN FIRE AND RESCUE AUTHORITIES

Amendments made: 51, page 5, line 41, leave out 'in England'.

Amendment 52, page 6, line 17, leave out 'in England'.

Amendment 53, page 7, line 9, at end insert—

'"Act" (except in a reference to the Localism Act 2011) includes an Act, or Measure, of the National Assembly for Wales;

"passed" in relation to an Act, or Measure, of the National Assembly for Wales means enacted;'.

Amendment 54, page 7, line 36, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 55, page 7, line 39, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 56, page 7, line 41, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 57, page 7, line 43, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 58, page 7, line 46, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 59, page 8, line 1, leave out 'Secretary of State' and insert 'appropriate national authority'.

Amendment 60, page 8, line 10, leave out 'Secretary of State' and insert 'appropriate national authority proposing to make the order'.

Amendment 61, page 8, line 11, leave out from 'must' to 'consult' in line 12.

Amendment 62, page 8, line 16, leave out 'the Secretary of State' and insert 'that appropriate national authority'.

Amendment 63, page 8, line 16, at end insert—

'(6A) Subsection (6) does not apply to an order under subsection (3) or (4) which is made only for the purpose of amending an earlier such order—

(a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or

(b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.

(6B) The appropriate national authority's power under subsection (1) or (2) is exercisable by the Welsh Ministers so far as it is power to make provision that—

(a) would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of the Assembly, and

(b) does not relate to a fire and rescue authority for an area in England.

(6C) The appropriate national authority's power under subsection (1) or (2) is exercisable by the Secretary of State so far as it is not exercisable by the Welsh Ministers.

(6D) The appropriate national authority's power under subsection (3) or (4) is exercisable—

(a) in relation to England by the Secretary of State, and

(b) in relation to Wales by the Welsh Ministers.

(6E) In exercising power under subsection (1) or (2), the Secretary of State may make provision which has effect in relation to Wales only after having consulted the Welsh Ministers.

(6F) The Welsh Ministers may submit to the Secretary of State proposals that power of the Secretary of State under subsection (1) or (2) in relation to Wales should be exercised in accordance with the proposals.

(6G) In subsections (1) and (2) "statutory provision" means a provision of—

(a) an Act, or

(b) an instrument made under an Act,

and in this subsection "Act" includes an Act, or Measure, of the National Assembly for Wales.'.

Amendment 64, page 8, line 18, at end insert—

5CA Limits on power under section 5C(1)

(1) Provision may not be made under section 5C(1) unless the appropriate national authority making the provision considers that the conditions in subsection (2), where relevant, are satisfied in relation to that provision.

(2) Those conditions are that—

(a) the effect of the provision is proportionate to the policy objective intended to be secured by the provision;

(b) the provision, taken as a whole, strikes a fair balance between the public interest and the interests of any person adversely affected by it;

(c) the provision does not remove any necessary protection;

(d) the provision does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;

(e) the provision is not of constitutional significance.

(3) An order under section 5C(1) may not make provision for the delegation or transfer of any function of legislating.

(4) For the purposes of subsection (3) a "function of legislating" is a function of legislating by order, rules, regulations

or other subordinate instrument.

(5) An order under section 5C(1) may not make provision to abolish or vary any tax.'.

Amendment 65, page 8, line 19, leave out 'orders under section 5C' and insert

'Secretary of State's orders under section 5C(1) and (2)'.

Amendment 66, page 8, line 20, after '5C(6)', insert 'and (6E)'.

Amendment 67, page 8, line 21, after 'order', insert 'of the Secretary of State'.

Amendment 68, page 8, line 23, leave out from 'must' to 'undertake' in line 24.

Amendment 69, page 8, line 27, after '5C(6)', insert 'and (6E)'.

Amendment 70, page 8, line 33, at end insert—

(ai) the Secretary of State's reasons for considering that the conditions in section 5CA(2), where relevant, are satisfied in relation to the proposals,'.

Amendment 71, page 8, line 34, after '5C(6)', insert 'and (6E)'.

Amendment 72, page 9, line 1, after 'Provision', insert

'proposed to be made by the Secretary of State'.

Amendment 73, page 9, line 4, leave out '5C(5)' and insert '5C(6) and (6E)'.

Amendment 74, page 9, leave out lines 6 to 14.

Amendment 75, page 9, line 14, at end insert—

5E Procedure for Welsh Ministers' orders under section 5C(1) and (2)

(1) If, as a result of any consultation required by section 5C(6) with respect to a proposed order of the Welsh Ministers under section 5C(1), it appears to the Welsh Ministers that it is appropriate to change the whole or any part of their proposals, they must undertake such further consultation with respect to the changes as they consider appropriate.

(2) If, after the conclusion of the consultation required by section 5C(6) and subsection (1), the Welsh Ministers consider it appropriate to proceed with the making of an order under section 5C(1), they must lay before the National Assembly for Wales—

(a) a draft of the order, and

(b) an explanatory document explaining the proposals and giving details of—

(i) the Welsh Ministers' reasons for considering that the conditions in section 5CA(2), where relevant, are satisfied in relation to the proposals,

(ii) any consultation undertaken under section 5C(6) and subsection (1),

(iii) any representations received as a result of the consultation, and

(iv) the changes (if any) made as a result of those representations.

(3) Provision proposed to be made by the Welsh Ministers under section 5C(2) may be included in a draft order laid under subsection (2) and, if it is, the explanatory document laid with the draft order must also explain the proposals under section 5C(2) and give details of any consultation undertaken under section 5C(6) with respect to those proposals.

5F Determining Assembly procedures for drafts laid under section 5E(2)

'(1) The explanatory document laid with a draft order under section 5E(2) must contain a recommendation by the Welsh Ministers as to which of the following should apply in relation to the making of an order pursuant to the draft order—

(a) the negative resolution procedure (see section 5G),

(b) the affirmative resolution procedure (see section 5H), or

(c) the super-affirmative resolution procedure (see section 5J).

(2) The explanatory document must give reasons for the Welsh Ministers' recommendation.

(3) Where the Welsh Ministers' recommendation is that the negative resolution procedure should apply, that procedure applies unless, within the 30-day period—

(a) the National Assembly for Wales requires the application of the super-affirmative resolution procedure, in which case that procedure applies, or

(b) in a case not within paragraph (a), the Assembly requires the application of the affirmative resolution procedure, in which case that procedure applies.

(4) Where the Welsh Ministers' recommendation is that the affirmative resolution procedure should apply, that procedure applies unless, within the 30-day period, the National Assembly for Wales requires the application of the super-affirmative resolution procedure, in which case the super-affirmative resolution procedure applies.

(5) Where the Welsh Ministers' recommendation is that the super-affirmative resolution procedure should apply, that procedure applies.

(6) For the purposes of this section, the National Assembly for Wales is to be taken to have required the application of a procedure within the 30-day period if—

(a) the Assembly resolves within that period that that procedure is to apply, or

(b) in a case not within paragraph (a), a committee of the Assembly charged with reporting on the draft order has recommended within that period that that procedure should apply and the Assembly has not by resolution rejected that recommendation within that period.

(7) In this section "the 30-day period" means the 30 days beginning with the day on which the draft order was laid before the National Assembly for Wales under section 5E(2).

5G Negative resolution procedure for draft laid under section 5E(2)

'(1) For the purposes of this Part, "the negative resolution procedure" in relation to the making of an order pursuant to a draft order laid under section 5E(2) is as follows.

(2) The Welsh Ministers may make an order in the terms of the draft order subject to the following provisions of this section.

(3) The Welsh Ministers may not make an order in the terms of the draft order if the National Assembly for Wales so resolves within the 40-day period.

(4) A committee of the National Assembly for Wales charged with reporting on the draft order may, at any time after the expiry of the 30-day period and before the expiry of the 40-day period, recommend under this subsection that the Welsh Ministers not make an order in the terms of the draft order.

(5) Where a committee of the National Assembly for Wales makes a recommendation under subsection (4) in relation to a draft order, the Welsh Ministers may not make an order in the terms of the draft order unless the recommendation is, in the same Assembly, rejected by resolution of the Assembly.

(6) For the purposes of this section an order is made in the terms of a draft order if it contains no material changes to the provisions of the draft order.

(7) In this section—

"the 30-day period" has the meaning given by section 5F(7), and

"the 40-day period" means the 40 days beginning with the day on which the draft order was laid before the National Assembly for Wales under section 5E(2).

(8) For the purpose of calculating the 40-day period in a case where a recommendation is made under subsection (4) by a committee of the National Assembly for Wales but the recommendation is rejected by the Assembly under subsection (5), no account is to be taken of any day between the day on which the recommendation was made and the day on which the recommendation was rejected.

5H Affirmative resolution procedure for draft laid under section 5E(2)

'(1) For the purposes of this Part, "the affirmative resolution procedure" in relation to the making of an order pursuant to a draft order laid under section 5E(2) is as follows.

(2) If after the expiry of the 40-day period the draft order is approved by a resolution of the National Assembly for Wales, the Welsh Ministers may make an order in the terms of the draft.

(3) However, a committee of the National Assembly for Wales charged with reporting on the draft order may, at any time after the expiry of the 30-day period and before the expiry of the 40-day period, recommend under this subsection that no further proceedings be taken in relation to the draft order.

(4) Where a committee of the National Assembly for Wales makes a recommendation under subsection (3) in relation to a draft order, no proceedings may be taken in relation to the draft order in the Assembly under subsection (2) unless the recommendation is, in the same Assembly, rejected by resolution of the Assembly.

(5) For the purposes of subsection (2) an order is made in the terms of a draft order if the order contains no material changes to the provisions of the draft order.

(6) In this section—

"the 30-day period" has the meaning given by section 5F(7), and

"the 40-day period" has the meaning given by section 5G(7).

(7) For the purpose of calculating the 40-day period in a case where a recommendation is made under subsection (3) by a committee of the National Assembly for Wales but the recommendation is rejected by the Assembly under subsection (4), no account is to be taken of any day between the day on which the recommendation was made and the day on which the recommendation was rejected.

5J Super-affirmative resolution procedure for draft laid under section 5E(2)

'(1) For the purposes of this Part, "the super-affirmative resolution procedure" in relation to the making of an order pursuant to a draft order laid under section 5E(2) is as follows.

(2) The Welsh Ministers must have regard to—

(a) any representations,

(b) any resolution of the National Assembly for Wales, and

(c) any recommendation of a committee of the Assembly charged with reporting on the draft order,

made during the 60-day period in relation to the draft order.

(3) If, after the expiry of the 60-day period, the Welsh Ministers want to make an order in the terms of the draft order, they must lay before the National Assembly for Wales a statement—

(a) stating whether any representations were made under subsection (2)(a), and

(b) if any representations were so made, giving details of them.

(4) The Welsh Ministers may after the laying of such a statement make an order in the terms of the draft order if it is approved by a resolution of the National Assembly for Wales.

(5) However, a committee of the National Assembly for Wales charged with reporting on the draft order may, at any time after the laying of a statement under subsection (3) and before the draft order is approved by the Assembly under subsection (4), recommend under this subsection that no further proceedings be taken in relation to the draft order.

(6) Where a committee of the National Assembly for Wales makes a recommendation under subsection (5) in relation to a draft order, no proceedings may be taken in relation to the draft order in the Assembly under subsection (4) unless the recommendation is, in the same Assembly, rejected by resolution of the Assembly.

(7) If, after the expiry of the 60-day period, the Welsh Ministers wish to make an order consisting of a version of the draft order with material changes, they must lay before the National Assembly for Wales—

(a) a revised draft order, and

(b) a statement giving details of—

(i) any representations made under subsection (2)(a), and

(ii) the revisions proposed.

(8) The Welsh Ministers may after laying a revised draft order and statement under subsection (7) make an order in the terms of the revised draft order if it is approved by a resolution of the National Assembly for Wales.

(9) However, a committee of the National Assembly for Wales charged with reporting on the revised draft order may, at any time after the revised draft order is laid under subsection (7) and before it is approved by the Assembly under subsection (8), recommend under this subsection that no further proceedings be taken in relation to the revised draft order.

(10) Where a committee of the National Assembly for Wales makes a recommendation under subsection (9) in relation to a revised draft order, no proceedings may be taken in relation to the revised draft order in the Assembly under subsection (8) unless the recommendation is, in the same Assembly, rejected by resolution of the Assembly.

(11) For the purposes of subsections (4) and (8) an order is made in the terms of a draft order if it contains no material changes to the provisions of the draft order.

(12) In this section "the 60-day period" means the 60 days beginning with the day on which the draft order was laid before the National Assembly for Wales under section 5E(2).

5K Calculation of time periods

In calculating any period of days for the purposes of sections 5F to 5J, no account is to be taken of any time during which the National Assembly for Wales is dissolved or during which the Assembly is in recess for more than four days."'.

Amendment 76, page 9, line 15, leave out 'In' and insert 'Omit'.

Amendment 77, page 9, line 17, leave out from '1972)' to end of line 19.

Amendment 78, page 9, line 19, at end insert—

'(2A) In section 60(1) of the Fire and Rescue Services Act 2004 (meaning of "subordinate legislation") for "by the Secretary of State under this Act" substitute "under this Act by the Secretary of State or the Welsh Ministers".'.

Amendment 79, page 9, line 23, after 'order', insert

'made by the Secretary of State'.

Amendment 80, page 9, line 24, leave out '5D(5)' and insert '5C(6A)'.

Amendment 81, page 9, line 25, after 'order', insert

'made by the Secretary of State'.

Amendment 82, page 9, line 27, after 'purpose,', insert—

'(ba) an order made by the Secretary of State under section 5C(2) that—

(i) amends any Act or provision of an Act, and

(ii) is not made in accordance with sections 15 to 19 of the Legislative and Regulatory Reform Act 2006 as applied by section 5D(3),'.

Amendment 83, page 9, line 28, leave out 'which' and insert

'made by the Secretary of State, other than an order under section 5C, that'.

Amendment 84, page 9, line 32, leave out '"apart' and insert '"legislation, apart'.

Amendment 85, page 9, line 33, leave out '"apart' and insert '"legislation made by the Secretary of State, apart'.

Amendment 86, page 9, line 39, at end insert—

'(4A) In section 60 of the Fire and Rescue Services Act 2004 (orders and regulations) after subsection (5) insert—

(6) A statutory instrument containing (alone or with other provisions)—

- (a) an order made by the Welsh Ministers under section 5C(3), other than one that it is made only for the purpose mentioned in section 5C(6A),
- (b) an order made by the Welsh Ministers under section 5C(4), other than one that is made only for that purpose or for imposing conditions on the doing of things for a commercial purpose,
- (c) an order made by the Welsh Ministers under section 5C(2) that—
  - (i) amends any Act or provision of an Act or amends any Act, or Measure, of the National Assembly for Wales or provision of such an Act or Measure, and
  - (ii) is not made in accordance with sections 5F to 5K, or
- (d) subordinate legislation made by the Welsh Ministers, other than an order under section 5C, that amends any Act or provision of an Act,

may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(7) A statutory instrument containing any other subordinate legislation made by the Welsh Ministers, apart from—

- (a) an order under section 5C(1),
- (b) an order under section 5C(2) that is made in accordance with sections 5F to 5K, or
- (c) an order under section 30 or 61,

is subject to annulment in pursuance of a resolution of the National Assembly for Wales."

(4B) In section 62 of the Fire and Rescue Services Act 2004 (application of Act in Wales)—

- (a) in subsection (1)(b) (references to Secretary of State in sections 60 and 61) for "sections 60 and" substitute "section",
- (b) after subsection (1) insert—

"(1A) The reference in subsection (1)(a) to Parts 1 to 6 does not include—

- (a) sections 5A and 5B,
- (b) sections 5C and 5CA,
- (c) section 5D, and
- (d) sections 5E to 5K.", and
- (c) omit subsection (3) (disapplication of section 60(4) and (5)).'.—*(Robert Neill.)*

Clause 9

FIRE AND RESCUE AUTHORITIES: CHARGING

Amendments made: 87, page 10, line 4, leave out 'in England'.

Amendment 88, page 10, line 5, leave out 'in England'.

Amendment 89, page 10, line 28, after '(1)', insert 'and section 18B(1)'.

Amendment 90, page 11, line 16, leave out 'in England'.

Amendment 91, page 11, line 22, after 'State', insert

'in relation to fire and rescue authorities in England, and the Welsh Ministers in relation to fire and rescue authorities in Wales,'.

Amendment 92, page 11, line 39, leave out from beginning to end of line 2 on page 12.

Amendment 93, page 12, line 5, leave out 'this section' and insert 'subsection (3)'.

Amendment 94, page 12, line 15, leave out 'In' and insert 'Omit'.

Amendment 95, page 12, line 15, leave out from 'charging)' to end of line 18.

Amendment 96, page 12, line 18, at end insert—

'(3A) In section 62 (application of Act in Wales) before subsection (2) insert—

(1B) The reference in subsection (1)(a) to Parts 1 to 6 does not include sections 18A to 18C."'.

Amendment 97, page 12, line 19, after '(3)', insert

'in relation to England or Wales'.

Amendment 98, page 12, line 21, after 'in England', insert

'or (as the case may be) Wales'.—*(Robert Neill.)*

Schedule 2

NEW ARRANGEMENTS WITH RESPECT TO GOVERNANCE OF ENGLISH LOCAL AUTHORITIES

Amendment proposed: 2, page 199, leave out lines 30 to 43 and insert

'The elected mayor is to be returned under the simple majority system.'.—*(John Stevenson.)*

Question put, That the amendment be made.

The House divided: Ayes 29, Noes 279.

Division No. 274] **[7.49 pm**

AYES

Bebb, Guto
Binley, Mr Brian
Brine, Mr Steve
Campbell, Mr Gregory
Campbell, Mr Ronnie
Cash, Mr William
Chope, Mr Christopher
Davies, Philip
Dodds, rh Mr Nigel
Dorries, Nadine
Drax, Richard
Goldsmith, Zac
Heaton-Harris, Chris
Hoey, Kate
Hollobone, Mr Philip
Hopkins, Kelvin
Lewis, Dr Julian
McCartney, Jason
McCrea, Dr William
Nuttall, Mr David
Paisley, Ian
Rees-Mogg, Jacob
Shannon, Jim
Simpson, David
Skinner, Mr Dennis
Stevenson, John
Vickers, Martin
Walker, Mr Charles
Whittaker, Craig

Tellers for the Ayes:
Simon Reevell and
Andrew Percy

NOES

Adams, Nigel
Aldous, Peter
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Beith, rh Sir Alan
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick

Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, rh Mr Simon
Burrowes, Mr David
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
(Monmouth)
Davies, Glyn
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Doyle-Price, Jackie
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Edwards, Jonathan
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Heald, Oliver
Heath, Mr David
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
Javid, Sajid
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Llwyd, rh Mr Elfyn
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lucas, Caroline
Luff, Peter
Lumley, Karen
Macleod, Mary
May, rh Mrs Theresa
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Penning, Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Raab, Mr Dominic
Randall, rh Mr John
Raynsford, rh Mr Nick
Reckless, Mark
Redwood, rh Mr John
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Stephenson, Andrew
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Hywel
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Robert Goodwill and
Mark Hunter

Question accordingly negatived.

Schedule 2

NEW ARRANGEMENTS WITH RESPECT TO GOVERNANCE OF ENGLISH LOCAL AUTHORITIES

Amendment proposed: 41, page 211, line 18, leave out from beginning to end of line 31 on page 213.—*(Barbara Keeley.)*

Question put, That the amendment be made.

The House divided: Ayes 218, Noes 293.

Division No. 275] **[8.1 pm**

AYES

Abbott, Ms Diane
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
Davies, Geraint
Davies, Philip
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Dobson, rh Frank
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Engel, Natascha
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Gapes, Mike
Gardiner, Barry
George, Andrew
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reeves, Rachel
Riordan, Mrs Linda
Robertson, John
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Ward, Mr David
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Jonathan Reynolds and
Lyn Brown

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, rh Mr Simon
Burrowes, Mr David
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman

Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Raab, Mr Dominic
Randall, rh Mr John
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soubry, Anna
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
James Duddridge and
Stephen Crabb

Question accordingly negatived.

Schedule 3

AMENDMENTS CONSEQUENTIAL UPON NEW ARRANGEMENTS FOR LOCAL AUTHORITY GOVERNANCE IN ENGLAND

Amendments made: 99, page 223, line 4, leave out 'and

"mayor and council manager executive"'.

Amendment 100, page 223, line 5, leave out 'and

"mayor and council manager executive"'.

Amendment 101, page 223, line 10, leave out sub-paragraph (6).

Amendment 102, page 224, line 21, leave out sub-paragraph (5).

Amendment 103, page 225, line 20, leave out 'In section' and insert—

'(1) Section'.

Amendment 104, page 225, line 20, leave out 'in' and insert

'is amended as follows.

'(2) In'.

Amendment 105, page 225, line 21, at end insert—

'(3) In subsection (3) in the definition of "area committee" for the words from "means—" to "in Wales," substitute "means".

(4) Omit subsections (4) and (5).

(5) In subsection (6) omit "in Wales".'.

Amendment 106, page 226, line 23, at end insert—

'(2A) In subsection (2ZA) omit "in Wales".'.

Amendment 107, page 226, line 25, leave out ', (b) and (e)' and insert 'and (b)'.

Amendment 108, page 226, line 26, leave out paragraph (b) and insert—

(b) in paragraph (e) for the words from "committee—" to "a joint overview and scrutiny committee" substitute "committee".'.

Amendment 109, page 226, line 28, leave out 'sections'.

Amendment 110, page 226, line 28, leave out 'section 21A' and insert '21A and 21B'.

Amendment 111, page 226, line 33, at end insert—

'(5A) In subsection (10A) omit "in Wales".'.

Amendment 112, page 226, line 34, leave out 'omit paragraph (aa).' and insert '—

(a) in paragraph (aa) omit the words from "by virtue of" to "England) or", and

(b) in paragraph (c) omit the words from the beginning to "in Wales".'.

Amendment 113, page 226, line 35, leave out sub-paragraph (7).

Amendment 114, page 226, line 42, leave out sub-paragraphs (2) and (3) and insert—

'(2) In subsection (3) omit the words from "(in the case of a local authority in England" to "Wales)".

(3) In subsection (6)(a) omit the words from "section 236" to "2007 or".

(4) Omit subsections (10) and (11).

(5) In subsection (12) omit "in Wales".'.

Amendment 115, page 227, line 3, leave out paragraph 29.

Amendment 116, page 227, line 7, leave out 'Omit section' and insert—

'(1) Section'.

Amendment 117, page 227, line 8, after 'information)', insert

'is amended as follows.

'(2) In subsection (1)(b) omit sub-paragraph (ii).

(3) In subsection (2) omit "or providing a copy of the document to a relevant partner authority".

(4) In subsection (6)—

(a) in the definition of "exempt information"—

(i) omit "section 246 of the National Health Service Act 2006 or", and

(ii) at the end insert "and", and

(b) omit the definition of "relevant partner authority".'.

Amendment 118, page 227, line 10, at end insert—

32A (1) Section 21F (as inserted by the Local Government (Wales) Measure 2011) (Wales: notifying designated body of report or recommendations) is amended as follows.

(2) In the title for "Wales: notifying" substitute "Notifying".

(3) In subsection (1) omit "in Wales".'.

Amendment 119, page 227, line 11, after '21F', insert

'(as inserted by the Flood and Water Management Act 2010)'.

Amendment 120, page 227, line 12, at end insert—

33A In the title of section 21G (Wales: designated persons) for "Wales: designated" substitute "Designated".'.

Amendment 121, page 227, line 16, leave out sub-paragraph (3) and insert—

'(3) In subsection (12A)—

(a) for the words from "Secretary" to "Wales)," substitute "Welsh Ministers", and

(b) in paragraph (a) omit the words from ", or under" to "section 21B,".'.

Amendment 122, page 227, line 31, leave out paragraph 39.

Amendment 123, page 227, line 33, leave out paragraph 40.

Amendment 124, page 227, line 37, leave out paragraph 41 and insert—

41 Omit section 31 (alternative arrangements).'.

Amendment 125, page 228, line 5, leave out paragraph 42 and insert—

42 Omit section 32 (alternative arrangements).'.

Amendment 126, page 228, line 15, leave out paragraph 43.

Amendment 127, page 228, line 18, at end insert—

43A (1) Section 33ZA (Wales: changing governance arrangements) is amended as follows.

(2) In the heading for "Wales: changing" substitute "Changing".

(3) Omit "in Wales,".'.

Amendment 128, page 228, line 19, leave out from 'arrangements)' to end of line 21.

Amendment 129, page 231, line 37, leave out sub-paragraph (5).—*(Greg Clark.)*

Clause 16

VOLUNTARY CODES OF CONDUCT

Amendments made: 130, page 16, line 18, leave out 'may' and insert 'must'.

Amendment 131, page 16, line 19, leave out

'any manner that it considers appropriate'

and insert

'such manner as it considers is likely to bring the adoption, revision or withdrawal of the code of conduct to the attention of persons who live in its area'.—*(Greg Clark.)*

New Clause 13

FURTHER WARNING NOTICES

'(1) This section applies to a local or public authority which has been given a notice under section 32 in respect of an EU financial sanction which is or includes a penalty payment.

(2) Before imposing a requirement on a local or public authority to which this section applies to make a further payment under this Part, a Minister of the Crown must give a further

warning notice to the authority and follow the procedures set out in that notice (subject to any changes to those procedures made under subsection (8)).

(3) A further warning notice is a notice stating that the Minister believes—

(a) that acts of that authority may have caused or contributed to the continuing infraction of EU law for which the EU financial sanction in question was imposed; and

(b) that, if acts of that authority did cause or contribute to that continuing infraction of EU law, it would be appropriate to consider requiring the authority to make a further payment under this Part in respect of any relevant periodic payments.

(4) In this section "relevant periodic payments" means periodic payments falling due from the United Kingdom as part of the EU financial sanction in question which—

(a) have not already been the subject of an EU financial sanction notice given to the authority; and

(b) fall due before a date specified in the further warning notice.

(5) The date so specified must not be later than the day on which the further warning notice is given to the authority in question.

(6) The warning notice must also—

(a) set out the Minister's reasons for making the statements mentioned in subsection (3);

(b) if the Minister thinks it appropriate to do so, specify the amount of the payment the Minister considers the authority would be required to pay on the assumption that the relevant circumstances have not changed since the most recent EU financial sanction notice was given to the authority;

(c) set out the procedures for determining—

(i) whether the authority should be required to make a payment in respect of any relevant periodic payments, and

(ii) the amount of any payment the authority is to be required to make;

(d) invite the authority to make representations to the Minister about—

(i) any change of circumstances since the most recent EU financial sanction notice, or

(ii) anything else that may be relevant to the determination of the matters mentioned in paragraph (c)(i) and (ii).

(7) The further warning notice may contain such other information as the Minister considers appropriate (including, in particular, anything of a description mentioned in section 31(3)(b) to (e)).

(8) The Minister may, before the matters mentioned in subsection (6)(c)(i) and (ii) are determined, give the authority a notice stating any changes that the Minister has decided to make to any procedures or other information set out in the further warning notice.

(9) A further warning notice given to a local or public authority may be withdrawn at any time before the matters mentioned in subsection (6)(c)(i) and (ii) are determined, but this does not prevent another further warning notice being given to the authority.'.—*(Greg Clark.)*

Brought up, and added to the Bill.

New Clause 14

FURTHER EU FINANCIAL SANCTION NOTICES

'(1) A Minister of the Crown may give a further EU financial sanction notice to a local or public authority to which section [Further warning notices] applies in respect of any relevant periodic payments (within the meaning of that section).

(2) A further EU financial sanction notice may be given only if the Minister is satisfied that acts of that authority have caused or contributed to the continuing infraction of EU law for which the EU financial sanction in question was imposed.

(3) Section 32(2) and (3) to (5) apply to a further EU financial sanction notice as they apply to an EU financial sanction notice under section 32.

(4) In the application of those provisions to a further EU financial sanction notice, references to the total amount of the sanction are to be read as referring to the total amount of the relevant periodic payments that are the subject of the notice.'.—*(Greg Clark.)*

Brought up, and added to the Bill.

Clause 30

POWER TO REQUIRE LOCAL OR PUBLIC AUTHORITIES TO MAKE PAYMENTS

IN RESPECT OF CERTAIN EU FINANCIAL SANCTIONS

Amendments made: 132, page 22, line 7, leave out '260' and insert '260(2)'.

Amendment 133, page 22, line 14, at end insert '; or

(b) in the case of an EU financial sanction that is or includes a penalty payment, by a further EU financial sanction notice under section [Further EU financial sanction notices] given by the Minister to that authority after complying with the requirements of section [Further warning notices].'.—*(Greg Clark.)*

Clause 31

WARNING NOTICES

Amendments made: 134, page 23, line 29, at end insert—

'(3A) If the EU financial sanction to which the warning notice relates is or includes a penalty payment, the sanction is to be treated for the purposes of the warning notice as excluding any periodic payment which falls due from the United Kingdom on or after a date specified in the warning notice.

(3B) The date so specified must not be later than the day on which the warning notice is given to the authority in question.'.

Amendment 135, page 23, line 39, leave out 'a further' and insert 'another'.—*(Greg Clark.)*

Clause 32

EU FINANCIAL SANCTION NOTICES

Amendments made: 136, page 24, line 1, at end insert 'and the total amount of that sanction,'.

Amendment 137, page 24, line 10, at end insert—

'(2A) If the EU financial sanction to which the notice relates is or includes a penalty payment, the sanction is to be treated for the purposes of the notice as excluding any periodic payment which falls due from the United Kingdom on or after the date specified under section 31(3A) in the warning notice given to the authority.'.

Amendment 138, page 24, line 11, leave out 'specified in the notice' and insert

'required to be paid by the authority'.—*(Greg Clark.)*

Clause 33

MEANING OF "LOCAL OR PUBLIC AUTHORITY"

Amendments made: 139, page 24, line , at end insert—

'(d) the Council of the Isles of Scilly.'.

Amendment 140, page 24, line 37, at end insert—

'(4) The following may not be designated under subsection (3)—

(a) either House of Parliament, a Minister of the Crown or a United Kingdom government department;

(b) a court or tribunal.'.—*(Greg Clark.)*

Clause 34

INTERPRETATION OF PART: GENERAL

Amendments made: 141, page 24, line 41, at end insert

'or section [Further EU financial sanction notices]'.

Amendment 142, page 25, line 3, leave out

'an obligation under the EU treaties'

and insert

'a judgment of the Court of Justice of the European Union made under Article 260(1) of the Treaty on the Functioning of the European Union'.

Amendment 143, page 25, line 6, at end insert—

'(2) For the purposes of this Part—

(a) references to a periodic payment, in relation to an EU financial sanction that is or includes a penalty payment, are to a payment due under the terms of the penalty payment; and

(b) a periodic payment is to be regarded as the subject of an EU financial sanction notice given to a local or public authority if it is included in the sum specified in such a notice as the total amount of the EU financial sanction to which the notice relates;

and it is immaterial for the purposes of paragraph (b) whether the EU financial sanction notice in question is given under section32 or section [Further EU financial sanction notice].'.—*(Greg Clark.)*

New Clause 15

APPLICATIONS FOR PLANNING PERMISSION: LOCAL FINANCE CONSIDERATIONS

'(1) Section 70 of the Town and Country Planning Act 1990 (determination of applications for planning permission: general considerations) is amended as follows.

(2) In subsection (2) (local planning authority to have regard to material considerations in dealing with applications) for the words from "to the provisions" to the end substitute "to—

(a) the provisions of the development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations."

(3) After subsection (2) insert—

"(2A) Subsection (2)(b) does not apply in relation to Wales."

(4) After subsection (3) insert—

"(4) In this section—

"local finance consideration" means—

(a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or

(b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975;

"relevant authority" means—

(a) a district council;

(b) a county council in England;

(c) the Mayor of London;

(d) the council of a London borough;

(e) a Mayoral development corporation;

(f) an urban development corporation;

(g) a housing action trust;

(h) the Council of the Isles of Scilly;

(i) the Broads Authority;

(j) a National Park authority in England;

(k) the Homes and Communities Agency; or

(l) a joint committee established under section 29 of the Planning and Compulsory Purchase Act 2004."'.—*(Greg Clark.)*

Brought up, and read the First time.

Greg Clark: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dawn Primarolo): With this it will be convenient to discuss the following:

New clause 2—*Sustainable development*

'(1) The Secretary of State must, not later than six months after this Act is passed, make provision in regulations to—

(a) define sustainable development in the planning context, and

(b) incorporate the five principles of sustainability as set out in the 2005 Sustainable Development Strategy—

(i) living within environmental limits;

(ii) ensuring a strong, healthy and just society;

(iii) achieving a sustainable economy;

(iv) promoting good governance; and

(v) using sound science responsibly

into planning law and guidance.

(2) Before making regulations under subsection (1) the Secretary of State must consult such organisations and persons as the Secretary of State considers appropriate.

(3) Regulations under this section shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

New clause 4—*Community Right of Appeal*

'(1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 78 (appeals to the Secretary of State against planning decisions and failure to take such decisions) after subsection (2) insert—

"(2A) Where a local planning authority grants an application for planning permission and—

(a) the authority has publicised the application as not being in accordance with the development plan in force in the area in which the land to which the application relates is situated; or

(b) the application is one in which the authority has an interest as defined in section 316;

certain persons as specified in subsection (2B) may by notice appeal to the Secretary of State, provided any one of the conditions in subsection (2C) are met.

(2B) Persons who may by notice appeal to the Secretary of State against the approval of planning permission in the circumstances specified in subsection (2A) are—

(a) the ward councillor for the area (if that councillor has lodged a formal objection to the planning application in writing to the planning authority), or where there is more than one councillor, all councillors by unanimity;

(b) any parish council or neighbourhood forum, as defined in section 61F, covering or adjoining the area of land to which the application relates, by two-thirds majority voting; or

(c) any overview and scrutiny committee, by two-thirds majority voting.

(2C) The conditions are:

(a) Section 61W(1) of the Town and Country Planning Act 1990 applies to the application;

(b) the application is accompanied by an environmental impact assessment; and

(c) the planning officer has recommended refusal of planning permission.".

(3) Section 79 is amended as follows—

(a) in subsection (2), leave out "either" and after "authority", insert "or the applicant (where different from the appellant)";

(b) in subsection (6), after "land", insert "(except for appeals as defined in section 78(2A) and where the appellant is as defined in section 78(2B)).".'.

New clause 5—*Powers of the Secretary of State*

'(1) If the Secretary of State thinks that a statutory provision (whenever passed or made) is creating uncertainty for local authorities in the discharge of their planning functions or is a matter of public dispute between local planning authorities and other relevant bodies, the Secretary of State may by order made by statutory instrument amend, repeal, revoke or disapply that provision.

(2) The power under subsection (1) may by exercised in relation to—

(a) all local authorities,

(b) particular local authorities, or

(c) particular descriptions of local authority.

(3) The power under subsection (1) to amend or disapply a statutory provision includes power to amend or disapply a statutory provision for a particular period.

(4) In this section "statutory provision" means a provision of an Act.

(5) Before making an order under subsection (1) the Secretary of State must consult—

(a) such local authorities

(b) such representatives of local government, and

(c) such other persons (if any), as the Secretary of State considers appropriate.

(6) The Secretary of State may not make an order under this section unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament.'.

New clause 6—*The purpose of planning*

'(1) The Planning and Compulsory Purchase Act 2004 is amended as follows.

(2) Before section 1 insert—

"A1 Purpose of Planning

(1) The purpose of the planning system is to achieve sustainable development.

(2) Any person exercising functions and duties under the planning Acts must do so with the objective of achieving sustainable development and shall have regard in doing so to any guidance given for that purpose by the Secretary of State.

A2 Interpretation

'(1) In this Act—

(a) 'sustainable development' means development that meets the social, economic and environmental needs of the present without compromising the ability of future generations to meet their own needs including the application of the following principles:

(i) living within environmental limits;

(ii) ensuring a strong, healthy and just society;

(iii) achieving a sustainable economy;

(iv) promoting good governance;

(v) using sound science responsibly;

(b) 'the planning Acts' means—

(i) the Localism Act 2011;

(ii) the Planning Act 2008;

(iii) this Act;

(iv) the Town and Country Planning Act 1990;

(v) the Planning (Listed Buildings and Conservation Areas) Act 1990;

(vi) the Planning (Hazardous Substances) Act 1990; and

(vii) the Planning (Consequential Provisions) Act 1990."'.

New clause 7—*Removal of permitted area restrictions*

'(1) A relevant local authority may consider and, if it thinks fit, grant an application to vary a converted casino premises licence so that it relates to premises to which it did not previously relate and may do so regardless of whether or not—

(a) the premises to which the application relates are situated in the area of the relevant local authority which issued the licence; and

(b) the area of the relevant local authority in which those premises are situated was a permitted area when the converted casino premises licence was originally issued.

(2) Subsection (1) shall not require a relevant local authority to consider any application to vary a converted casino premises licence if that local authority has passed a resolution under section 166 of the Gambling Act 2005 (resolution not to issue casino licences) and that resolution is in effect at the time the application is made.

(3) In Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2006 (transitional provisions), for sub-paragraph (13) of paragraph 65 (application of the Gambling Act 2005 to casino premises licences granted on a conversion application) substitute—

"(13) An application to vary a converted casino premises licence so that it relates to premises to which it did not previously relate shall be made—

(a) in the case of premises wholly or partly situated in the area of the licensing authority which issued the licence, to that licensing authority; or

(b) in the case of premises wholly or partly situated in the area of another licensing authority, to that other licensing authority,

and section 213(f) (definition of licensing authority) shall apply to such an application as if the licensing authority considering such an application under paragraph (b) was the authority which issued that licence.

(14) Nothing in paragraph (13)(b) shall require a licensing authority to consider or grant an application to vary a converted casino premises licence so that it relates to premises to which it did not previously relate if—

(a) the premises are wholly or partly situated in the area of a licensing authority which did not issue the licence; and

(b) the licensing authority has resolved under section 166 not to issue casino premises licences and that resolution is in effect at the time the application is made.".

(4) In this section—

"converted casino premises licence" has the same meaning as in the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2006;

"permitted area" means the area of a local authority which was a permitted area for the purposes of the Gaming Act 1968;

"relevant local authority" means a local authority in England, Wales or Scotland which is a licensing authority under the Gambling Act 2005.'.

New clause 11—*Transfer of generating station consent powers to Welsh Ministers*

'(1) The Secretary of State must make regulations to transfer to the Welsh Ministers those functions of the Infrastructure Planning Commission and the Marine Management Organisation which relate to applications for an order granting development consent for the construction or extension of generating stations in Wales or in waters in or adjacent to Wales up to the seaward limits of the territorial sea.

(2) Regulations made under subsection (1) must be laid within 12 months of the passing of this Act and are subject to the negative resolution procedure.'.

New clause 29—*Retail diversity scheme*

'(1) In Part 2 of the Planning and Compulsory Purchase Act 2004 after section 15 insert—

15A (1) The local planning authority must prepare and maintain a scheme to be known as their retail diversity scheme.

(2) The retail diversity scheme must form part of the Local Development Scheme within two years of the Local Development Scheme being published or within two years of this Act being passed, whichever is later.

(3) The scheme must—

(a) define a network and hierarchy of retail centres in the local authority area,

(b) assess the need for development in retail centres,

(c) identify sites for development based on the sequential approach, and

(d) promote retail diversity.

(4) In this section—

(a) 'retail diversity' means a mix of retail provision that meets the requirements of the local catchment area in terms of range and quality of comparison and convenience retail businesses;

(b) 'sequential approach' means that local planning authorities must identify sites that are suitable, available and viable for development in the following order—

(i) locations in appropriate existing centres;

(ii) edge of centre locations, with preference given to sites that are or will be well connected to existing retail centres;

(iii) out of centre sites with preference given to sites well served by a choice of transport and are closest to an existing centre.

(5) The Secretary of State may direct the local planning authority to make such amendments to the scheme as he thinks appropriate.

(6) Such a direction must contain the Secretary of State's reasons for giving it.

(7) The local planning authority must consult with the local community in developing the scheme.

(8) The local community as defined under subsection (7) must include—

(a) a parish council or parish councils authorised to act in relation to the neighbourhood area or areas to which the retail diversity scheme relates subject to section 61F of the Town and Country Planning Act 1990,

(b) a 'qualifying body' authorised to act in relation to the neighbourhood area or areas to which the retail diversity scheme relates subject to section 61F of the Town and Country Planning Act 1990, and

(c) any other local person at the discretion of the local planning authority.

(9) Where a retail planning application is submitted and there is no retail diversity scheme in place the applicant must provide a statement to the local planning authority that sets out how the development impacts on the criteria identified in subsection (3); and the local planning authority must consult the local community as defined in subsection (8) before coming to a decision on the application."'.

New clause 30—*Planning consent for betting offices*

'(1) That, notwithstanding any existing statutory provision, a local authority may require planning consent to be applied for pursuant to section 62 of the Town and Country Planning Act 1990 and granted prior to the establishment of, or change of use of premises or land to establish, a betting office in that local authority's area.

(2) "Betting office" means premises, other than a track within the meaning of the Gambling Act 2005, in respect of which a betting premises licence under Part 8 of that Act has effect.'.

New clause 31—*Change of use class for betting offices*

'The Town and Country Planning (Use Classes) Order 1987 is amended as follows—

'(1) In article 3(6) (exclusion from use classes), at end add—

"(n) as a betting office".

(2) In Part A (Use Classes) of the Schedule to the principal Order, in Class A2(c) omit "(including use as a betting office)".

(3) "Betting office" means premises, other than a track within the meaning of the Gambling Act 2005, in respect of which a betting premises licence under Part 8 of that Act has effect.'.

New clause 32—*Amendment of the Planning and Compulsory Purchase Act 2004*

'In section 19(1A) of the Planning and Compulsory Purchase Act 2004 (preparation of local development documents)—

(a) leave out "(taken as a whole)",

(b) leave out from "contribute" to "change" and insert—

(i) achieve reductions of greenhouse gas emissions in line with the carbon budgets set under the Climate Change Act 2008;

(ii) meet current national policy objectives on assessing the risk of and adapting to climate change, in relation to that area.'.

New clause 34—*Guidance on opencast mining: separation zones etc.*

'(1) The Secretary of State must issue guidance on the national planning policy for opencast mining in England within six months of this Act being passed.

(2) The guidance must require a minimum separation zone of 500 metres between the site of an opencast mine and the nearest residential property, unless there are exceptional circumstances.

(3) Mineral planning authorities in England must have regard to any guidance issued under this section when fulfilling their functions.

(4) In this section "opencast mining" means the working of minerals by opencast operations and the carrying out of operations incidental to such working.'.

New clause 35—*Scope of the Town and Country Planning (General Permitted Development) Order (No.2)*

'The Secretary of State must within 12 months of this Act being passed, by regulations made by statutory instrument, amend the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (the "GPDO") removing permitted development rights specified in neighbourhood development orders from the scope of the GPDO.'.

New clause 36—*Scope of the Town and Country Planning (General Permitted Development) Order (No.1)*

'The Secretary of State must within 12 months of this Act being passed, by regulations made by statutory instrument, amend the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (the "GPDO") removing land or premises used or formerly used as a public house from the scope of the GPDO.'.

Government amendment 144.

Amendment 293, clause 90, page 61, line 6, at end insert

'including a County Council, an Integrated Transport Authority for the area or a Marine Plan Authority.'.

Government amendments 145 to 147.

Amendment 294, page 61, line 13, after ‘undertaken’, insert

‘where issues or impacts cross administrative boundaries and with the objective of achieving sustainable development’.

Government amendment 148.

Amendment 295, page 61, line 15, at end insert—

‘(ab) the preparation of Joint Infrastructure Planning Guidance.’.

Government amendment 149.

Amendment 297, page 61, line 17, at end insert—

‘(d) the preparation of the Local Transport Plan;

(e) the preparation of marine plans; and

(f) other activities that support the planning of development, so far as relating to the development and use of land or sea.’.

Government amendment 150.

Amendment 296, page 61, line 18, leave out from ‘land’ to end of line 20 and insert

‘and strategic infrastructure and in particular the preparation of Joint Infrastructure Planning Guidance.’.

Amendment 298, page 61, line 20, at end insert—

‘(3A) The preparation of Joint Infrastructure Planning Guidance within subsection (3) must involve—

(a) a local planning authority who is also a member of a Local Enterprise Partnership as approved by the Secretary of State; and

(b) every other person within subsection (1).

(3B) The preparation of Joint Infrastructure Planning Guidance within subsection (3) includes in particular—

(a) the collection of evidence on issues defined in subsection (3C);

(b) the preparation of policy guidance in relation to issues defined in subsection (3C); and

(c) any other activities that support joint infrastructure planning.

(3C) For the purpose of subsection (3B) the issues to be addressed include—

(a) housing needs;

(b) climate mitigation and adaptation and in particular flood risk;

(c) economic development including retail needs;

(d) energy needs and capacity;

(e) biodiversity;

(f) natural resource use including water management; and

(g) transport.

(3D) The person or bodies defined in subsection (1) must exercise the function of Joint Infrastructure Planning with the aim of achieving sustainable development and must act under guidance, including as to the meaning of sustainable development, as set out in the UK Sustainable Development Strategy.’.

Government amendments 151 to 156.

Amendment 299, page 61, line 36, at end insert—

‘(7) In this section—

(a) “marine plan” has the same meaning as in section 51 of the Marine and Coastal Access Act 2009;

(b) “marine plan authority” has the same meaning as in section 50 of the Marine and Coastal Access Act 2009;

(c) “sea” has the same meaning as in section 42 of the Marine and Coastal Access Act 2009.

(8) The fulfilment of the duty in subsection (1) shall be regarded as a material consideration by an independent examiner carrying out functions under section 20(7) of the Planning and Compulsory Purchase Act 2004.’.

Government amendments 157 and 158.

Amendment 369, clause 95, page 66, line 33, leave out from ‘levy)’ to end of line 38 and insert ‘in subsection (2), after second ‘ensure’, leave out to the end of the subsection and insert

‘that owners and developers of land make a financial contribution to support communities in the area in which their development is situated, including the provision of infrastructure and the building, improvement and renovation of housing.’.

Government amendments 159 and 160.

Amendment 6, schedule 9, page 289, line 23, after ‘live’, insert ‘, or businesses registered,’.

Amendment 7, page 289, line 26, after ‘live’, insert ‘, or businesses registered,’.

Amendment 8, page 289, line 27, at end insert—

(ba) the organisation or body is competent to undertake the task of preparing a neighbourhood plan with appropriate professional support.’.

Amendment 9, page 289, line 27, at end insert—

(ba) the organisation or body is representative of different sections of the community.’.

Amendment 10, page 289, line 28, leave out ‘3’ and insert ‘12’.

Government amendments 161 to 163.

Amendment 359, page 292, line 25, at end insert

‘except for the winning and working of minerals in, on or under land by surface working and any associated activity.’.

Government amendments 164 to 168.

Amendment 301, page 298, line 6, at end insert—

‘(1A) A neighbourhood development plan must include policies to—

(a) achieve reductions of greenhouse gas emissions in line with the carbon budgets set under the Climate Change Act 2008;

(b) meet current national policy objectives on assessing the risk of and adapting to climate change, in relation to that area.’.

Government amendments 169 and 170.

Amendment 12, schedule 10, page 300, line 38,

(h) imposing a duty to conduct an equalities impact assessment in line with the Equality Act 2010.’.

Government amendments 171 to 174.

Amendment 11, page 303, line 14, at end insert—

‘(1A) Any person who makes written representations seeking to change a neighbourhood development order must (if he or she so requests) be given the opportunity to appear before and be heard by the person carrying out the examination.’.

Government amendments 175 to 182.

Amendment 371, clause 102, page 72, line 14, leave out ‘majority’ and insert ‘all’.

Amendment 372, page 72, line 15, at end insert

‘and within a radius of a quarter of a mile from the site of the application’.

Amendment 370, schedule 13, page 327, line 24, at end insert—

55A In section 115(1) after ‘associated development’, insert ‘, except where the associated development is the carrying out or construction of surface works, boreholes or pipes on a site all of which falls within the area of a single local planning authority, where consent for such works should be required from the local planning authority.’.

Government amendments 184 and 258.

Greg Clark: It is a pleasure to be debating planning issues again. I am sorry that that is occasioning an exodus from the Chamber, as I think it is one of the most fascinating parts of the Bill. I cannot promise to emulate the winding-up speech of the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Hazel Grove (Andrew Stunell) who, in 30 seconds, gave the finest speech that I have ever heard him give, but I will endeavour to reach those high standards.

I am delighted to see the hon. Member for Birmingham, Erdington (Jack Dromey) in his place to respond. Those of us who served on the Bill Committee have missed our daily dose of historical education and elucidation, and I dare say that Members who were not on the Committee are in for a treat tonight.

We have a large group of amendments to discuss and so as to avoid the fate of my hon. Friend, I will try to say something about as many as possible of them in my opening remarks so that it may not be necessary to expand at length later in the debate. We made good progress in Committee on this part of the Bill. There was a shared understanding that there were problems with the planning system that have grown up over time, which the Bill provides an opportunity to address. It is not a matter of party political contention that the persistently observed problems with the planning system centre around the fact that over recent years it has been too top-down. People have felt that planning is something that has been done to them, rather than something in which they have had a say or which they have had a chance to influence.

8.15 pm

There is something about the British people which means that if they feel imposed upon, bullied and hustled, they will kick out against that and use every means at their disposal to frustrate it. That has led to what all of us as Members of Parliament have seen over recent years—a rising sense of antipathy to the planning process, often leading to quite emotional exchanges and people feeling very bruised about the system under which they operate. The purpose of the Bill is to remove some of that top-down imposition and provide greater opportunities for communities to have their say.

The second observation that most people share is that too often when developments take place in communities, there is inadequate provision for infrastructure and inadequate attention to accommodating the development that takes place. Again, that leads local people to be more inclined to oppose a development because they are fearful that their community will not have the capacity to resolve some of the difficulties that development will bring.

The Bill attempts to address both those concerns. Among its headline measures, it replaces the regional arrangements that have been in place for some years and introduces instead a duty to co-operate that brings local authorities together in a more natural way. Rather than giving an administrative solution to some of the problems, it allows people to collaborate, discuss and come to resolutions of larger than local issues. It strengthens the requirements for pre-application scrutiny, introduces neighbourhood planning, abolishes the Infrastructure Planning Commission and returns powers ultimately to Ministers through a major infrastructure planning unit.

Mr Clive Betts (Sheffield South East) (Lab): On the abolition of everything that is regional, which is clearly Government policy and has been for some time, the Minister has just indicated that the duty to co-operate was the central plank that would replace on some sort of strategic basis the regional dimension. With hindsight, does he think the Government gave enough attention and thought to how the duty to co-operate should be formulated and how it should work in practice? There seems to have been an awful lot of criticism from everybody with an interest in these matters about the Government's position in the Bill.

Greg Clark: I am grateful for the hon. Gentleman's remarks. I know that as Chairman of the Communities and Local Government Committee, he has taken a great interest in these matters. I have always been clear that the Bill represents a major change and it behoves any Minister from whatever party to listen to representations and to seek to improve what is a different way of solving a classic problem—planning issues that have a larger than local dimension to them. The previous Government attempted a resolution through regional arrangements. We formed a view, for better or for worse. Some of us on the Government Benches thought that those arrangements should not have been entered into in the first place. Those on the Opposition Benches would reflect, I think, that the arrangements have had their day and should be replaced with a means of addressing larger than local issues that is robust and captures the need for strategic planning. I will go straight to the amendments that relate to that—Government amendments 144 to 158—and say something about the Opposition's amendments as I do so.

We accepted that there was an opportunity to strengthen the duty to co-operate that was set out in the Bill as originally drafted. Indeed, I perhaps agree that a minimalist view was taken of that duty. We have replaced it with something that enjoys support from a wide range of groups, having reached a form that they endorse as a useful resolution to some of these matters. I pay tribute to the effort and work that many groups outside the House have put into strengthening the duty to co-operate. It would be churlish not to pay tribute to the hon. Member for Birmingham, Erdington, who approached these matters in a similar vein; the amendments tabled by the Opposition in Committee provided a basis on which to discuss these matters and to make progress.

The duty to co-operate will be significantly strengthened by the amendments that we, as promised, have brought forward. They are modelled closely on what we said was appropriate in Committee and what the Royal Town Planning Institute has proposed. As the professional planning body, it was the organisation that worked most closely on this, but a wide range of other outside bodies were involved, including the Wildlife and Countryside Link coalition, which includes the WWF, the Royal Society for the Protection of Birds and the Town and Country Planning Association. In particular, we have taken up their suggestions, which were echoed in some of the amendments tabled by the Opposition in Committee, to make clearer the application to cross-boundary issues and to the marine planning system, which needs to be addressed. We have also taken input from the Planning Officers Society, whose members will be charged with meeting the duty to co-operate. As a result of its suggestion, our amendment proposes to put a reference to county councils on to the face of the Bill. That deals with one of the hon. Gentleman's amendments that he will no doubt talk to shortly.

The combined effect has been to create a much stronger duty to co-operate that covers all authorities and a proposed list of prescribed bodies that themselves would be subject to that duty, because planning matters clearly concern not only local authorities, but other public bodies. I know from speaking with councils up and down the country that one of the frustrations is that they sometimes feel that they have not had the full and enthusiastic co-operation of other public bodies in producing plans that are clearly relevant to them.

I have placed in the Library of the House our draft list of bodies to be included in addition to local authorities. They include the Environment Agency, the Historic Buildings and Monuments Commission, Natural England, the Mayor of London, the Civil Aviation Authority, the Homes and Communities Agency, primary care trusts, the Marine Management Organisation, the Office of Rail Regulation, the Highways Agency, Transport for London, integrated transport authorities and highways authorities. I think that it is absolutely right that those public bodies should be required to give every co-operation to local authorities in producing strategic plans that are larger than local plans for their area.

We also propose in these amendments an enabling power that will require all bodies that are subject to the duty to co-operate to have regard to the activities of other bodies when preparing plans that may not have a public character. Foremost among these are local enterprise partnerships. We intend to identify local enterprise partnerships as bodies that the prescribed bodies with the duty to co-operate must take into account and with which they will need to co-operate fully.

The duty to co-operate applies to the preparation of all development plan documents and, in particular, it requires engagement to maximise effectiveness. This cannot be a minimal engagement that simply responds to a questionnaire, which it was feared the original formulation might lead to. There must be active engagement to maximise the effectiveness of all relevant development plan documents. It applies to all strategic issues, which will be interpreted as issues that cross at least two local authority planning areas. It refers to sustainable development, because we know that the environment, in particular, does not stop at local authority boundaries and continues way beyond them, so it is absolutely right that there should be a requirement to co-operate on that. Infrastructure requirements typically go beyond local authority boundaries as well. It requires consideration to be given to the preparation of joint plans and development documents. In particular, I hope and expect that local enterprise partnerships will use their planning powers to pool some of their policies relating to the development of the economy so that they will have attractive, appealing and clear pro-growth policies, especially in areas where there is a need to attract new employers.

The crucial test of the duty to co-operate is the soundness of the plan. If the inspector finds that the duty has not been complied with, the plan will be unsound and cannot be adopted. Therefore, there is an absolute safeguard that this is not just a voluntary activity, but that it is absolutely at the heart of plan making, and rightly so, because the strategic level is very important to emphasise.

The amendment, which is the product of extensive consultation with the professional bodies and some of the other representative bodies, anticipates and deals with many of the amendments that Opposition Front Benchers might be minded to move. If I have time at the end of our considerations on this group, I will respond to the remarks of the hon. Member for Birmingham, Erdington. In particular, amendment 293 deals with the inclusion of county councils, and that is covered by our amendments. He will have heard me mention integrated transport authorities and the marine planning organisations in the list of prescribed organisations that I intend to publish. Sustainable development is very clearly marked there and is explicitly referenced, as are local transport plans and marine plans.

On this new clause, I can do no better than quote the briefing on that which the Royal Town Planning Institute made available to Members:

> "The RTPI has worked closely with the Government on strengthening the arrangements for planning at the larger than local level and believes that the amended Clause 90 should be supported."

It states that the Government are

> "to be congratulated for listening on this issue."

I hope that we have been able to discharge the commitments that I made in Committee to establish a replacement for the regional arrangements that is rather more robust than the original version.

Let me turn to some of the other new clauses and amendments tabled by hon. Members. The hon. Member for Stoke-on-Trent North (Joan Walley), who chairs the Environmental Audit Committee, has asked that at this stage we consider the specific question of whether a definition of sustainable development should be included in the Bill. New clause 2 has been tabled by my hon. Friend the Member for Mid Dorset and North Poole (Annette Brooke) and her colleagues, and those on the Opposition Front Bench have tabled some amendments relating to this matter. I will give an indication of the approach I would like to take on this, because it is an area that, as many Members know, is close to by heart. I completely agree that the purpose of planning is to promote sustainable development and that all plans and decisions should reflect that.

New clause 2 captures where we should be, and I certainly undertake to give my hon. Friend the Member for Mid Dorset and North Poole most of what she seeks. As was always intended, we will bring out a draft national planning policy framework in July, which will have sustainable development at its heart. It will set out what we mean by sustainable development.

Henry Smith (Crawley) (Con): Will that sustainability—sustainability can, of course, include many different strains—include community sustainability, such as providing for places of worship in local communities?

Greg Clark: My hon. Friend anticipates the detail of the national policy planning framework, but at this stage all I would say on sustainable development is that the Government have no issue or disagreement with the classic definitions of it. The Brundtland definition, that development undertaken by this generation should not compromise the ability of future generations to live their lives, has stood the test of time and is very clear. Although I am foreshadowing the content of the

[Greg Clark]

framework, I want to give a clear signal to my hon. Friend and to all hon. Members that we intend to follow that approach.

Joan Walley (Stoke-on-Trent North) (Lab): This is a little like having the winding-up speeches before the debate has started, but, in anticipation that there might not be much time to set out the arguments for sustainable development, may I ask the Minister, given what he has said, whether he agrees that there is no substitute for writing sustainable development into legislation? Here we are, yet we do not have the details of the statement that will come out next week or later, so how can we ensure that sustainable development is written into the legislation? Is not that the most important aspect of this exercise?

8.30 pm

Greg Clark: I understand the hon. Lady's point, but I hope she accepts that we have stated clearly that we are very comfortable with the classic definition of sustainable development, which will be prominent—in fact, it could not be more prominent—in the planning policy framework. She has no grounds for concern. Her Committee asked for an assurance that sustainable development would continue to be part of planning policy, and I take that point.

Alun Cairns (Vale of Glamorgan) (Con): I wish to return to the point that my hon. Friend the Member for Crawley (Henry Smith) made about places of worship. From my discussions with the Minister, I know that he has spoken warm words, but will he use this opportunity to place on the record his broad thinking about how places of worship can be accounted for in planning policy?

Greg Clark: I will resist the temptation to stray from the proposed changes before us. There are amendments that deal in particular with sustainable development, but I say in passing that the opportunity for communities to have and to promote places of worship is a reflection of their sense of community, and we would be wholly in opposition to the direction of the Bill if we had any intention of restricting that—quite the reverse. I do not think that my hon. Friend has any cause for concern.

The previous Government promoted the five principles of sustainable development—living within environmental means, ensuring a strong, healthy and just society, achieving a sustainable economy, promoting good governance and using sound science responsibly—in the sustainable strategy. I have no difficulty with that, and without going into too much detail I would expect those principles to be reflected in planning policy, where they always have been. That has been the place for them.

The challenge from new clause 2—to require sustainable development to be put forward after a period—also carries an important virtue. The national planning policy framework will be subject to consultation, and it is quite right that we should give people the chance to see our definition—I have given a pretty broad steer as to what it will be—and to comment on it, rather than simply capturing something in the Bill now. I would be perfectly relaxed about doing so, but we should give people the chance to reflect on and to add to the definition.

Joan Walley: I hear what the Minister says, but would it not have been more appropriate if we had had that public debate alongside a White Paper, when sustainable development could have been looked at across the range of planning policy, not just as part of the framework to be published shortly? We could have looked at that first, but instead we are considering things in the dark.

Greg Clark: We are not quite in the dark. I hope that I have illuminated some of the dark, given what I have been able to say about the proposed contents of that White Paper. At the time of the Budget, I said that we would try to bring forward the definition a little earlier than the rest of the document, because I know that there is an interest in it. That will at least allow the other place to have the benefit of that thinking. If a greater token of good faith than my words at this Dispatch Box is required, it will appear quite shortly.

I think hon. Members will be satisfied with our approach. I have long regarded the matter as a personal interest, having shadowed the energy and climate change brief in opposition, and there is nothing in our approach that does anything other than enhance matters. By clarifying, and taking away much of the undergrowth around, planning policy, it will make more resonant the principles that the hon. Lady, the hon. Member for Birmingham, Erdington and my Liberal Democrat hon. Friends so rightly want to promote.

Neighbourhood planning is another important addition to the Bill. I freely accept that the initial version of our clauses on this could have been improved, and I made commitments in Committee that we would reflect on improvements that could be made. The hon. Gentleman was particularly exercised, and indeed lyrical, about the opportunities to improve some of these provisions. He was dismayed that a neighbourhood forum in which these issues could be discussed was liable to take place in the saloon bar of the Dog and Duck, thinking that too intimate a space for such a gathering and suggesting that it should be larger. We have reflected on the size of public houses across the country, and we think we need to enable more people to attend the forums.

There is no Dog and Duck in Birmingham, as far as I was able to establish, which is a great disappointment. There was a Dog and Duck in Holloway Head, which is perhaps an area of the city that he knows, but sadly it was demolished some time after 1899. I have brought in this very appealing photograph of the pub, which I will give to the hon. Gentleman so that next time he is in his city he can research its antecedence. I have to say that it does not look the most salubrious of establishments, but then I do not know what his taste is in public houses, and he might regret its disappearance. He may also be dismayed to hear that another public house demolished in Birmingham in recent years was the House That Jack Built. I am sure that that is a source of regret to everyone in Birmingham, but perhaps it is an opportunity for him.

Greg Mulholland (Leeds North West) (LD): While my right hon. Friend's comments are amusing, does he understand the frustration of many of us, including members of the all-party save the pub group, that even after this Bill has been passed, it will remain perfectly possible for people to demolish free-standing pubs without the community having any right to have a say?

Greg Clark: I understand my hon. Friend's point. I will say a few words about that in moment, and I hope to give him some comfort. He is absolutely right that one of the types of building that communities value most, whether in towns or villages, is their local pub. The frustration they feel in seeing some of these buildings demolished without the opportunity to do anything about it is a source of great concern. The Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), who snaffled very sharpish the title of "Pubs Minister" when the portfolios were being handed out just after the general election, takes a particular interest in this and has been meeting representatives of the Campaign for Real Ale, as has my hon. Friend the Member for Leeds North West (Greg Mulholland) and his group.

For Members of the House who were not in Committee, I should explain that we asked a series of questions about neighbourhood planning. First, is it right for neighbourhoods below the local authority level to be able to promote a vision of their future? We agreed that it was. This is easily available to areas that have parish councils or town councils: a standing democratic body is available, so it is easy to give it such powers. The next question is whether areas that do not have parish councils or town councils should be excluded from the ability to have a neighbourhood plan. There is an argument that they can apply for parish status, so we can provide a little bait to attract them towards doing that. Those on both Front Benches reflected on this and agreed that if some parts of the country decided that they did not want a standing parish council or town council but nevertheless wanted a neighbourhood plan, they should not be denied that.

How can we bring together people in those places in an acceptable way to discuss these matters? In the Bill, that question turns on neighbourhood forums. We agreed to increase, through amendments, the minimum number of members of a neighbourhood forum from three—the number at which it was rather unfeasibly set—to 21. Landlords across the country can now count on at least 21 customers being in their snug to discuss neighbourhood plans rather than the minimum of three. The hon. Member for Birmingham, Erdington argued strongly that we should increase the number. We have gone a little beyond the number that he suggested, and that is absolutely right. Government amendment 160 makes that clear.

Amendment 160 also makes it clear that businesses should be involved. Clearly, any conception of a neighbourhood—certainly one that includes a high street—must reflect the fact that sometimes the people who have the interests of the community most at heart and who most epitomise the community are those who run businesses, because they are at the heart of the community. The fact that someone runs a business in a town but lives elsewhere should not preclude them from participating in the neighbourhood forum. We are happy to reflect that point, which again was urged by the hon. Gentleman, in Government amendments.

Annette Brooke: On amendment 160, will the Minister clarify what will be the balance between residents and businesses? The amendment could be read to mean that businesses alone could drive an agenda, which might not be compatible with what the residents want. I wonder whether the wording needs to be looked at again.

Madam Deputy Speaker (Dawn Primarolo): Order. Before the Minister resumes, I clarify that he is not supposed to have his back continually to the Chair. He is supposed to address the whole House, not just the Members behind him. I hope that he will bear that in mind.

Greg Clark: Of course, Madam Deputy Speaker. I certainly intended no discourtesy to you or anyone else in the Chamber.

We do not want to be too prescriptive in the rules for neighbourhood forums, because we want as many people to participate as possible. Nevertheless, we have specified the requirement in the examination that they should be open to all. Part of the test that the examiner will make is whether there are sufficient efforts to involve all sections of the community, including businesses and definitely residents. Various types of residents must also be included, because it is important that the whole community is represented. We have also clarified that councillors have a right to be involved in the neighbourhood forum, even if they do not reside in the ward that they represent, as is sometimes the case. I hope that Government amendments 161 and 162 cover the point made by the hon. Lady. If they need strengthening, we are happy to look at them again. I think that they make it clear that forums need to reflect the community and should not allow any narrow interests to dominate. That is one of the most important tests.

Good points were made in Committee by the hon. Member for Lewisham East (Heidi Alexander) and the right hon. Member for Greenwich and Woolwich (Mr Raynsford) about cross-border arrangements. I recollect that they share a border in Blackheath. It is important that Blackheath is able to have a neighbourhood plan, and I very much hope that it will. Government amendments, in particular amendment 168, will make that possible, and will ensure that there will be only one plan for the area. It would be wrong for competitive plans for Blackheath to be promoted from the Lewisham side and the Greenwich side. It is important that they work together.

Bob Stewart (Beckenham) (Con): Do the provisions of the Bill apply to urban and metropolitan open spaces in the same way as they do to green belt development?

Greg Clark: If residents so desire, the provisions of a neighbourhood plan can designate spaces that residents want to keep as green space.

The right hon. Gentleman said in Committee that it should be possible for the examiners of plans to be planning inspectors or local authority officers. We perhaps erred too much on the side of reassuring residents that they had the right to promote their plan in the face of a recalcitrant local authority, and therefore excluded local authority officers and planning inspectors from being involved. We actually found, to our delight, that there is a great deal of enthusiasm on the part of many local authorities. Where a community and its local authority can happily work together, its officers should not be excluded from being involved.

[Greg Clark]

We have also addressed, in Government amendments 171 and 172, the need for the development of neighbourhood plans to be properly funded, recognising that the capacity of communities varies from place to place. Those amendments give the Secretary of State the power to arrange for payments to be made in support of neighbourhood planning, or for services such as training to be provided.

8.45 pm

Nigel Mills (Amber Valley) (Con): My right hon. Friend gives many words of encouragement to those of us who have tabled amendments. Does he have any such warm words for neighbourhoods that happen to be in a coal mining area and face the threat of open-cast mining applications? They would like to be able to include that matter in their neighbourhood plans.

Greg Clark: I was going to come on to my hon. Friend's amendments, but since he raises the matter I will turn to them now. I will have to disappoint him. Neighbourhood plans are conceived as being about issues that just affect neighbourhoods. Although mineral extraction has consequences for particular neighbourhoods, it is clearly larger than a local matter. It has consequences for the wider authority and, in many cases, for national Government. It is not right to expect neighbourhood plans to govern mineral extraction, which goes beyond their scope.

Joan Walley: The issue of open-cast coal mining is critical, particularly in former coal mining areas. If there is going to be a presumption in favour of mineral extraction instead of that being balanced with environmental considerations, that suggests that there will be no commitment whatever to sustainable development at the heart of planning policy. If people cannot prevent open-cast coal mining, or have their view of it taken on board, that will send out a strong message to them that they will not have any say in future developments in their locality.

Greg Clark: No, the hon. Lady has got it wrong. We are talking about neighbourhood planning, but of course a whole panoply of other planning policy applies. There is absolutely no intention to remove the test of sustainability for mineral extraction or any other proposal, and that will be a matter for national policy. I do not underestimate in any way the importance of open-cast mining for the communities in which it takes place, but neighbourhood plans are not the mechanism to control it. I hope most hon. Members will see that.

Nigel Mills: Will my right hon. Friend give way?

Greg Clark: I will make some progress, and then perhaps my hon. Friend can come in again. I know that a lot of Members want to speak.

The hon. Member for Scunthorpe (Nic Dakin), who made many helpful and constructive suggestions in Committee, has tabled two amendments. We will require the examiner of plans to take oral evidence if people want to submit it, but we will leave him or her to make the judgment about whether that is an attempt to delay the process or reflects a genuine appetite. Similarly, his amendment 12 is unnecessary because the Bill already allows prescribed steps to be taken in the examination of a neighbourhood plan, including the consideration of questions about participation. However, we will carefully consider whether an equalities impact assessment is appropriate.

On heritage issues, our amendments correct a misdrafting that seemed to put in doubt the protection that conservation areas and listed buildings receive in the neighbourhood planning process. That was never our intention. Happily, working with the heritage groups, we have been able to agree a set of measures that address that problem.

I wish to say a little about town centres, because I know that an amendment on the subject has been tabled. Policy on town centres has always been part of national planning policy, and I believe that is right. However, as I have done on the subject of sustainable development, I wish to signal clearly the importance of having robust policy, including the sequential test that is currently in planning policy statement 4. That will absolutely be in place, and it will be clear in the new national planning policy framework.

The Association of Convenience Stores wants, to its credit, to keep this issue live and in the forefront of our minds. I am happy that it does so, but it need have no concerns. This Government's attitude to town centres is absolutely clear: they are at the heart of our communities and nothing should be done that would disadvantage them or jeopardise that.

Government new clause 15 deals with local finance matters, which has caused the hon. Member for Birmingham, Erdington and his colleagues some concern in recent days. The proposal makes it clear that local finance matters that are relevant to planning considerations can be taken into account. It does not change the law in any way, and it is not some stealthy way in which to introduce a new basis for planning policy. Everyone knows that section 106 payments that are material in planning matters can be taken into consideration. The new clause reflects the fact that the introduction of the community infrastructure levy, and, potentially, other rebates to the local community, as I like to call them, can be used for planning purposes. It is important to be clear, lest there is any doubt on the part of local authorities, that such rebates, just like under section 106, can be made when they are relevant to planning considerations.

Amendment 369, which was tabled by my right hon. Friend the Member for Bermondsey and Old Southwark (Simon Hughes), suggests that CIL should be used more widely for housing and other local infrastructure. It is important that planning committees, which are sometimes nervous and conservative about such matters, are reassured that the use of the CIL for appropriate planning purposes is perfectly legitimate and that it can be taken into account in planning decisions.

Mr Raynsford: The Minister implies that there is no change in policy as a result of new clause 15, but may I remind him that until three months ago, his Department's stance was that financial matters could not be regarded as material considerations? His Department's response to the consultation on the new homes bonus scheme affirmed that the new homes bonus cannot change the position that financial matters are not to be regarded as material considerations. New clause 15 changes that completely, and changes the presumption that planning permission cannot be bought and sold, which has been in the planning system for years. That is an extremely dangerous move, and I am astonished that the Minister has come to it only after 35 minutes of his speech. He has dealt with a lot of detail, but he has not addressed the fundamental threat that new clause 15 poses to the integrity of the planning system.

Greg Clark: The right hon. Gentleman should be reassured that the measure is not a fundamental threat. Rather, it is an incidental measure for clarification. As he knows, section 106 payments have always been taken into account. There is no change in the policy whatever. He misquotes the response to the consultation on the new homes bonus, which is as valid today as it was when it was published. The response states that

> "the new Homes Bonus is not intended to encourage housing development which would otherwise be inappropriate in planning terms"

and that local authorities

> "cannot take into account immaterial considerations."

Therefore, local finance considerations, like any other considerations, should be taken into account only if they are material to the application that is being considered. Let me give an example to the right hon. Gentleman. Obviously, if it is perfectly appropriate for a payment made under a section 106 agreement to be taken into account by the planning authority, it would be perfectly reasonable for the CIL, for example, to be used to provide investment in a road scheme that accommodates a development. If a planning authority considers that to be material, it is perfectly reasonable to take it into account. The measure simply clarifies that if payments other than section 106 payments can be used for matters that are material to the application, it is legitimate to take them into account.

Mr Raynsford: The Minister will have to do better. He should consider whether he is being absolutely open with the House about the significance of the change. The existing presumption is that planning permission cannot be bought and sold, and that financial considerations are not material. He will know that section 106 agreements are negotiated only after planning consent has been granted. There should be no question about that. However, he is clearly muddying the waters—his language implies that—and by making a financial consideration a material consideration, he is undermining the planning system. I urge him to reconsider.

Greg Clark: The right hon. Gentleman is disappointed that this is not the cunning plot that he sensed it might be. It is a straightforward clarification, and he needs to accept that it is not what he thought it was. It is a simple and straightforward clarification brought about by the fact that it has been suggested in the press that some of these payments cannot be taken into account. It is important that councils understand that, where it is relevant to the planning matter in hand—but not otherwise—they can continue to take it into account. That is no different from the present situation, and it is important to clarify that.

Simon Hughes (Bermondsey and Old Southwark) (LD): I would like to press the Minister on his response to my amendment 369. I will make my point by way of example: the Shard, being built by London bridge, will attract community infrastructure levy section 106 money, and the local authority might want to renovate the local council or housing association estates nearby, or to build new social housing. Will he assure me that the Bill will make that possible?

Greg Clark: New clause 15 clarifies that it is reasonable for a planning authority to take such funds into account if they are to be used in connection with the planning application. On the use to which the funds are put, I know that in Committee my right hon. Friend and the Opposition Front-Bench team considered whether the provision could be drawn more widely to include affordable housing. It has not been possible to draw up a definitive amendment in time for Report, but I am sympathetic to those concerns, so we will introduce further suggestions in the Lords.

Heidi Alexander: Earlier in his remarks, the Minister was quick to quote the Royal Town Planning Institute on the progress that he would say has been made on the duty to co-operate, so could he tell me, in relation to new clause 15, why the RTPI writes:

> "The Government's new amendment to make financial considerations a material consideration is deeply flawed and potentially very damaging to proper planning and contradicts assurances given by ministers just 12 weeks ago"?

What does he have to say to the RTPI?

Greg Clark: I have given clear assurances at the Dispatch Box that this is not what the RTPI perhaps suspected or what the right hon. Member for Greenwich and Woolwich clearly suspected: that this was some grand plan to—as he put it—buy and sell planning permission. That is not the case. There is no change in the dispensation.

Mr Betts *rose—*

Greg Clark: I give way to the Chairman of the Communities and Local Government Committee.

Mr Betts: I want to get down to practicalities. Given that these matters are now material considerations, is it not the case that when an application comes before a local planning authority, the officer of that authority will have a responsibility to explain in their recommendations precisely what financial considerations there are and how much will be gained by the authority and the community from granting the application? That is completely different from any present requirement on any planning officer to explain any financial matters before the planning committee makes a decision on an application.

Madam Deputy Speaker (Dawn Primarolo): Order. Before the Minister replies, I want to say that this is a very important point, and I am allowing the interventions to run longer than normal because of its complexity. Can we bear it in mind, however, that we still have a lot of business to get through?

Greg Clark: The hon. Gentleman has got the wrong end of the stick. It is not required that the planning application should be determined on the basis of the financial flow. It is relevant only if it relates to the planning matter before the authority. For example, if

[Greg Clark]

the community infrastructure levy is to be used to pay for an access road, it is perfectly reasonable—this is clarified in the new clause—for that to be taken into account by the local authority.

9 pm

I want to make some progress, because I have spoken for 45 minutes. My hon. Friend the Member for St Austell and Newquay (Stephen Gilbert) has tabled a new clause—new clause 4—that would introduce what he describes as a limited right of appeal for third parties against planning applications, just as he did in Committee. Let me make a few points about that. In the first place, I fear that the drafting of new clause 4 is technically defective. The drafting of proposed new section 78(2B)(c) of the Town and Country Planning Act 1990 would allow any overview and scrutiny committee anywhere in the country to appeal against planning permission granted by a wholly different authority. Clearly it is not his intention that his planning committee in Cornwall should appeal against a decision in Tunbridge Wells, so whatever happens, he needs to take that into account.

The second point is that new clause 4 does not address—as it would need to if it were accepted—the crucial point of what happens in the meantime if planning permission is granted by a local council. Is that permission to be held in abeyance, awaiting a possible appeal, or can planning permission be implemented in the meantime? If a development goes ahead and there is a successful appeal, would that development need to be demolished? If work is started on a development that needs to be interrupted, is anyone liable for compensation if the permission is overturned on appeal? There are therefore a few technical deficiencies with new clause 4 that would need to be considered.

Stephen Gilbert (St Austell and Newquay) (LD): I am grateful to the Minister for explaining the technical deficiencies in new clause 4 to me, and particularly for doing so at 9 o'clock this evening. However, aside from the technical deficiencies, what is the Government's view of the principle? I can work on the robustness of the new clause if the Government can give me their view in principle.

Greg Clark: I will explain, although I will shortly draw my remarks to a conclusion, as I know that other Members want to speak. As my hon. Friend and all other members of the Committee know, my view is that we should move away from a system of planning by development control, where recourse is made to the Planning Inspectorate rather than local decision makers, which is how the future of our communities has been developed. I want fewer appeals to the Planning Inspectorate and more decided locally. Doing that means plan-making becoming a much more prominent part of the process. Neighbourhood plans and pre-application scrutiny—and, incidentally, neighbourhood plans becoming part of the development plan, even if the local authority disapproves—along with the abolition of regional imposition and the prevention of the inspector from simply rewriting plans are all geared towards making the plan prominent and, indeed, sovereign. When we are dealing with the legitimate concerns of communities that feel that developments that they do not want have been imposed on them, my concern is to strengthen their ability to control the process by participating in plan-making.

George Hollingbery (Meon Valley) (Con) *rose—*

Philip Davies *rose—*

Nicky Morgan (Loughborough) (Con) *rose—*

Greg Clark: I will continue to make a bit of progress, then I will certainly give way to my hon. Friends.

Taking away some of those appeals for determination by an undemocratic body, rather than by local authorities on the basis of a plan, is the wrong thing to do, and would also elevate the status of planning officers above members. Such an approach would essentially say to planning committees that they should either agree with their planning officers or risk facing an appeal. That is the wrong approach. My hon. Friend the Member for St Austell and Newquay will shortly see evidence in the national planning policy framework of my absolute intention to make plans sovereign, so that it is not possible simply to set aside democratically agreed local plans in response to particular pressures.

There is also a case for looking at the fact that the costs of losing appeals can sometimes hang over local authorities. Sometimes the threat of losing an appeal dissuades a local authority from turning down an application that it might want to turn down. We should look at that, to ensure that it will be possible for local authorities robustly to stick to their local plans.

Philip Davies: My right hon. Friend will remember visiting my constituency to meet local residents who were fighting against unwanted developments in Micklethwaite and Menston. The logic of what he is saying seems to be that the appeal process should be evened up to deprive the developer of the opportunity to take their plans to appeal. Is that what he is proposing? One way or another, the plans should be equal between the developer and the local residents. On the basis of what he has just said, can he clarify whether he is going to stop developers having the right to appeal?

Greg Clark: I know that my hon. Friend withdrew an amendment proposing to deprive developers or property owners of their right to appeal. He will know, as a robust free-marketeer, that when planning consent was nationalised, it took away people's opportunity to do what they wanted with their property, and that that became subject to the right of appeal. I think that that is a reasonable safeguard. I want to make the local plan clear and sovereign, so that it becomes the determinant of planning applications, so that they do not need to go to appeal.

George Hollingbery: In my little local town of Bishop's Waltham, a supermarket is being built outside the local plan. Is the Minister saying that the sovereignty of local plans will be such that there will be no out-of-plan developments at all, even for supermarkets in small market towns?

Greg Clark: The combination of neighbourhood plans and local plans in the new system will be much more robust than at present. My hon. Friend can reasonably expect that they will govern the decisions that are taken.

Too often at the moment, an appearance before the planning committee is merely the first step on the way to an appeal, and that is the wrong way to do planning.

I want briefly to refer to the amendments on betting shops tabled by the right hon. Member for Tottenham (Mr Lammy). I know from our conversations that he is very concerned about the proliferation of betting shops in his community and elsewhere. We announced in the Budget a review of how use class orders, relating to a change in use, are handled in the planning system. I will ensure that a specific part of that review deals with the very real issue in the right hon. Gentleman's constituency, and we will look at what can be done to make progress in that regard.

Joan Ruddock (Lewisham, Deptford) (Lab): When the Minister undertakes that review and looks into the issue, will he consider the fact that there are clusters of betting shops in many high streets, including Deptford high street in my constituency, and that they are crowding out regeneration and diversity of retail? This proliferation of betting shops is blighting many areas. He needs to take into account not only changes of use but the fact that there are far too many instances of this single type of operation being clustered in one street, which I am sorry to say attracts a lot of antisocial behaviour.

Greg Clark: I understand the right hon. Lady's point. This is something that is reflected across the country. One aspect of neighbourhood planning will look at the character of high streets, in particular, to ensure a proper diversity of uses.

Mr David Lammy (Tottenham) (Lab): Will the Minister give way?

Greg Clark: I will not give way, because I want to conclude my remarks. We have only 50 minutes left, and a lot of Members wish to speak.

I hope that I have been able to cover the great majority of the new clauses and amendments in this group. I know that the Opposition Front-Bench spokesman will want to have his say, as well as Back Benchers. These measures represent a significant development in our planning procedures. They will correct some long-standing flaws, which have resulted in people not having an opportunity to have their say in plan making from the beginning. They will give neighbourhoods the opportunity to have their vision of the community promoted as part of the local development plan. I will conclude my remarks now, and I look forward to the rest of the debate.

Jack Dromey (Birmingham, Erdington) (Lab): I will speak to Opposition amendments 293 to 299, amendment 301 and new clauses 29 and 32; and I shall deal with some Government amendments.

On health, the Government gave not an inch in Committee, got it badly wrong and then paused for thought. On localism, the Government admitted in Committee that they had got it badly wrong. They committed to making changes and are now bringing forward 234 new clauses and amendments—more than the entirety of provisions in the original Bill.

There are some moves in the right direction. The Government have, for example, accepted our amendment to protect our national heritage and our great historic buildings, which was warmly welcomed by English Heritage. This Bill, however, like the Health and Social Care Bill, remains a bad Bill.

The Government have moved on the duty to co-operate, admitting that the original proposals did not go far enough. The Minister of State, Department for Communities and Local Government, the right hon. Member for Tunbridge Wells (Greg Clark), a decent man with an open mind, acknowledged to the Committee that the Government needed to strengthen the duty to co-operate and, in his words,

> "to make it bite and to make it more encompassing than it is."—[*Official Report, Localism Public Bill Committee*, 15 February 2011; c. 599.]

The progress made, however, is extremely limited. It is clear that the Secretary of State, a man with a closed mind, sat on his Ministers—a fate too awful to contemplate. Since the Committee stage we have had additional changes to digest emerging from the Budget and those 234 new clauses and amendments. I am afraid to say that the sum total of the changes proposed is confusion, chaos and nothing short of a car crash.

Since taking power, the Government have moved at breakneck speed to demolish the planning system and to rebuild it within a matter of months. The demolition is nearly complete, with the end of sensible regional strategic planning, including the folly of the abolition of the regional development agencies and their replacement with local economic partnerships with no powers and no money—all because the Secretary of State gets out the clove of garlic and the cross at the very mention of "regional".

As the dust settles, has it all been worth it? How does the Minister view the planning landscape? Are we about to see a new streamlined planning process delivering housing, economic growth, action on climate change and the environment, and transport and infrastructure while also empowering people? Are we going to see that rise from the ashes?

James Morris (Halesowen and Rowley Regis) (Con) *rose—*

Jack Dromey: With respect, I took many interventions in Committee, but now that the Minister has taken the best part of an hour, I am determined to get through my remarks so that we can hear the maximum number of contributions from Back Benchers on both sides.

Ending up in a pickle, the Government have produced a system that is desperately unfit for purpose. It is important to remember the purpose of planning. Good planning is a vital tool for delivering the necessary development, while also delivering on sustainable development. Planning should integrate the needs of the economy with environmental and social goals to create sustainable communities and retain and enhance our cultural, historic and landscape assets.

We support any sensible reform. We accept that the system the Government inherited was, like any planning system, capable of improvement. We agree that increased local input by local people and local communities for the future of their areas and their built environment is absolutely vital to the success of any planning system. The reformed planning system, however, must be able

[Jack Dromey]

to meet key tests and objectives. The system must be able to meet our growing housing need and in the right areas.

Several hon. Members *rose—*

Jack Dromey: I intend to finish my speech soon, for reasons that I have already given. In a debate lasting less than two hours, a Minister spoke for the best part of an hour. I want to allow time for the maximum number of contributions to be made by Back Benchers.

9.15 pm

The Government propose to introduce a regressive system that will reallocate moneys away from low-demand areas, and will undermine sustainable development by encouraging growth on the most developable and profitable rather than the most sustainable sites. The planning system must deliver sustainable development, but instead of including a definition of sustainable development in the Bill, the Government indicated in the Budget that they intended a profound shift away from sustainable development as the objective of planning towards a market free-for-all.

An effective planning system should contribute to the delivery of our future needs, and that includes helping us to meet our carbon commitments in the fight against climate change. The Government, however, have promoted a toothless duty to co-operate, which will not contribute one iota to the mitigation of climate change. A truly effective planning system should also be responsive to local needs, demands and aspirations, but the Government's proposals in relation to neighbourhood planning are half-baked and a bureaucratic nightmare. They are also a sham.

Like other parts of the Bill, the localism agenda with regard to planning is wholly undermined by the Government's attempt to face in two directions at once. On one hand we have the Secretary of State for Communities and Local Government trumpeting the devolving of power to local people; on the other hand we have the Chancellor, who wants to make it easier for developers to bypass the planning system altogether. I can only assume that in the battle between the Treasury and the DCLG, the Treasury has won the day. How else can we explain the introduction of new clause 15, which enables financial benefits such as the new homes bonus to be a material consideration in the determining of planning applications?

Ministers and others on the Government Benches should be clear about what they are voting for today. The Campaign to Protect Rural England, the Royal Town Planning Institute and the Town and Country Planning Association all condemn the proposals. The CPRE has said:

> "We believe that this amendment would fundamentally distort the planning system by encouraging local authorities to base decisions on the financial implications rather than the spatial merits of the proposed development. It could also undermine the plan-led system and result in the spread of developments that go against the views of local people."

That view is echoed across the planning community, and will soon be heard in Members' surgeries up and down the country.

The new clause undermines the fundamental principle that planning decisions should be made in the long-term public interest, taking account of land use consequences and of what local people actually want, rather than being based on financial rewards for the decision-maker. It stands on its head what the Government said in the new homes bonus design document, referred to earlier, which was released on 17 February. It also directly contradicts a written statement released on the same day by the Minister for Housing and Local Government who said:

> "The New Homes Bonus also sits alongside the existing framework for making planning decisions. Responsibility will remain with local authorities to work within this framework to continue to ensure that development is suitable and sustainable by meeting local needs and national planning policy."

The new clause represents a fundamental conflict of interests within planning. We must therefore ask why the proposal was not considered earlier. Could it be because since 17 February Ministers have been in receipt of a legal opinion saying that the proposed new homes bonus scheme would introduce an unlawful element into the planning decision-making process, and that any planning permission granted on the basis that the scheme, or a grant under it, is a material consideration would stand a good chance of being quashed in a claim for judicial review? Faced with the news that their cornerstone housing policy was doomed, Ministers have decided to disregard the public interest and have rigged the planning system instead. Their cries of "Localism" are sounding hollower by the minute. This new clause was not considered in Committee, and this profound change to the way in which planning works has been introduced with no consultation, dialogue or debate. We will vote against it.

What of the Government's amended duty to co-operate? Their most significant proposed change is to use the local development framework soundness test as a sanction to ensure that co-operation takes place. That sounds reasonable, except that it is a retrospective test. Unlike our amendments, the Government's amendments do not specify what is meant by co-operation. It will be extremely difficult for any inspector to assess definitively whether there has been adequate co-operation. It could take several years to judge whether or not co-operation has been successful, a period we can ill afford given the pressing need to meet housing needs, to modernise our infrastructure and to respond to the increasing scientific evidence of climate change. In short, the Government's proposed duty to co-operate remains essentially voluntary, does not specify a unified product in terms of plan or strategy, does not specify the issues to be dealt with, and does not create an effective boundary to shape the extent of co-operation. It is certainly true that the proposal in general is a step in the right direction, but this measure simply will not work.

On the other hand, our measures go some way towards establishing the planning system the country needs. The duty we propose places sustainable development as a core objective of this co-operation, specifies the scope of the co-operation required, specifies a minimum number of issues to be the subject of co-operation including climate, housing, biodiversity and transport, and is based on a spatial area and not neighbouring authorities only, because that does not work for the most strategic planning issues. Our proposed duty also places a statutory requirement on local authorities to prepare a joint strategy that addresses a number of specified strategic issues. This duty will not repair the damage the Government are intent on inflicting on the planning system, but it may salvage something from the wreckage.

What in terms of sustainable development can we retrieve from the wreckage? At a time when the country is facing unprecedented challenges in economic recovery, climate change and increased urbanisation, the need for us to achieve sustainable development and to address these issues effectively has never been greater. However, the abolition of regional spatial strategies has removed many of the mechanisms that have provided an impetus for action towards achieving sustainable development and helping to monitor progress.

Looking to the future, achieving sustainable development must be at the heart of the planning system and the Bill, and we therefore welcome new clause 6, tabled by my hon. Friend the Member for Stoke-on-Trent North (Joan Walley), which does exactly that: it puts sustainable development at the heart of the Bill. It is also absolutely vital that the adoption of short-term measures to drive economic growth and the abolition of important Government advisers such as the Sustainable Development Commission do not lead us into making decisions that are unsuitable for the country in the long term. Somewhere in the planning system consideration must be given to the how actions we take now will have an impact on future generations. In short, the Government need to be clear about the purpose of planning sustainable development. The issue is even more imperative given that the Government's intention under new clause 15, which would give financial payments a privileged status—first among equals—as no other issue, such as housing or climate change, is specifically identified in the primary legislation as material. In the light of that, there is no justification for not specifying sustainable development in the Bill.

The proposed duty to consider climate change applies only to the preparation of local development frameworks and not to neighbourhood planning. Our proposals on climate change would ensure that, alongside our approach to strategic planning and the approach taken by my hon. Friend the Member for Stoke-on-Trent North to sustainable development, the mitigation of climate change would be at the heart of the local plan-making process.

The new provisions in the Bill on neighbourhood planning have been drafted to avoid the climate change duty. Do the Government seriously expect the carbon emissions for each neighbourhood forum and each local development plan magically to add up to our national target on climate change?

However, the climate change issues are the tip of the iceberg when it comes to the Bill's clauses on neighbourhood planning. The Government have proposed a series of amendments to the neighbourhood planning process arising out of our debates in Committee. As on the duty to co-operate, the limited progress is welcome. The Government have agreed to increase the number of people needed to initiate a forum from three to 21, so there is no longer the prospect of three men or three women in the Dog and Duck constituting themselves as a neighbourhood forum. On our other proposals to ensure democratic accountability no concessions have been made. The Government clearly see no need to ensure that such forums are accountable, and so 35% of the country will be covered by democratic bodies—parish councils, which, at their best, are admirable institutions—while the remaining 65% will be represented by forums with no democratic legitimacy and no accountability. We want communities to have a greater say in planning and to have a say over their local area, but forums should be democratically accountable and involve at least one local councillor. It is simply wrong to downgrade democracy.

We also want to give local communities a greater say over the future of their local high street. I see today that, as a result of Labour's amendments in Committee, Mary Portas, who is described as a "TV retail guru", is to carry out a Government-backed review aimed at halting the "decline" of the high street in England. Retail summits are fine, but they are not an alternative to practical action. The Government should therefore back the concrete proposals for change that we have put before the House today.

In Committee, we moved amendments to enshrine the "town centre first" policy in primary legislation. We welcomed the all-party consensus that there clearly was on the importance of this issue and the Government's commitment to placing the "town centre first" policy at the heart of the national planning policy framework. Although that was a step in the right direction, we need to do more to put the heart back into Britain's high streets. New clause 29 would require a local planning authority to include a retail diversity scheme within its local development framework. Crucially, the scheme would be developed through a consultation process with the local community, with the voices of local people and of local retailers heard. The new clause establishes a vital goal: the promotion of retail diversity, striking the right balance between large and small businesses and, in particular, focusing on establishing and growing small and specialist retail businesses.

9.30 pm

Healthy and diverse high streets are the heart of local communities. High streets and neighbourhood shopping parades are the engine room of thriving communities and local economies. Hon. Members will be all too aware that our high streets have suffered in the downturn. The new clause is not anti-supermarket but we must ensure that the supermarkets do not succeed at the expense of the high street. We must harness their power to better the community as a whole.

In short, Labour wants to give communities a real say in the future of their high streets and the power to make the changes that we want. I know that Ministers will tell the House that our proposal to put the heart back in the high street is not necessary since measures on the "town centre first" policy will be included in the long-awaited national planning policy framework, a document that has now attained near mythical status—nay, that of the holy grail. All that information is supposed to be contained within the document yet, like the holy grail, no one has seen it. I would submit that this matter—the future of our high street—is so important that it warrants specific legislation. The new clause ensures that communities and not central Government decide how their retail provision should change and grow to meet their needs.

The Government's planning Minister, the Minister of State, Department for Communities and Local Government, the right hon. Member for Tunbridge Wells, has said that he wants to give communities real power over their local areas and will look to strengthen the role of our high streets in our towns and cities. If the Government mean what they say, they should accept our changes to the Localism Bill and give local people a real say over their high street.

On retail diversity, sustainable development, the issues incorporated in our duty to co-operate and many of the other issues raised today, I expect the Minister might tell us, "Don't worry, it'll be in the national planning policy framework." Frankly, however, I would not be surprised if Ministers told us next that we could look forward to reading about the meaning of life in the NPPF. The NPPF has been trailed by the Government as a document that will streamline national planning policy guidance, but at every turn the Government have committed that something additional will be in the NPPF. The NPPF is clearly a document of vital importance to the proposed planning changes, but do we have a copy of it to read in draft alongside the Bill? No.

There is considerable uncertainty about what the NPPF will be, what it will look like, its status within the planning system and the process for its development and adoption. Promises from the Government that it will all be okay when the NPPF is published simply will not wash. It is wrong that such a major document, so relevant to the radical changes in the Bill, has not been published alongside it.

In conclusion, we have in front of us today a blueprint for a planning system that will deliver nothing but chaos. It is full of contradictions in its objectives and overloaded with inconsistencies in the policies designed to deliver those same confused objectives. The Government claim that the Bill will deliver balanced economic growth and the housing we need, safeguard the environment and increase local engagement in planning. In reality, it dismantles the strategic planning system and the means to meet our housing need, deliver sustainable economic growth, meet our energy needs and capacity, safeguard our environment and mitigate climate change. While Ministers claim the Bill delivers localism, the sum total of their proposals are neighbourhood forums that will be thoroughly opaque, undemocratic and unaccountable. Any hopes that the Government mean what they say about empowering communities, delivering on sustainable development or mitigating climate change are utterly discredited by their proposal to rig the planning system to make their regressive new homes bonus deliver housing in the wrong areas. I hope therefore that Government Members will support our amendment to strengthen strategic planning and give communities a real say on their local high street, and that they will vote against the Government's new clause 15, which will fatally undermine our country's planning system.

Annette Brooke: I shall be very brief. I share concerns about Government new clause 15 even after the Minister's assurances. If bringing financial considerations into the Bill is not going to make any difference, why include the measure? I am afraid that I have not got my head around that and I am very concerned that we do not have time to discuss this in depth and understand the impact of the change.

New clause 2, which is tabled in my name and those of my hon. Friends, was inspired by a report of the Environmental Audit Committee and we have tried to pick up on its main points. I sincerely believe that we need a definition of sustainable development in the context of the Bill and I share some of the concerns about how we can get the right balance between the pursuit of economic growth and making sure that economic growth is sustainable. Wherever that definition falls, it has to be in such a form that it can be developed downwards and interpreted by local communities, but also, in a sense, developed upwards within the national planning policy framework. That is quite a challenge. I am pleased that the Minister is prepared to accept what is in the new clause, but I hope that, as he is reflecting, he will also take on board some of the points that were made within the context of new clause 6.

On new clause 4, I welcome the Minister's comments about strengthening the basis of local plans. Throughout my time as chairman of planning it was very frustrating when there were attempts to override the local plan and one felt that one had to give in under the threat of costs. At the back of my mind, I still think that there ought to be a community right of appeal as a backstop, perhaps on much more limited terms than in the new clause. Obviously, there is still time to reflect on that.

I remain concerned about the wording of Government amendment 160 and I hope that will be looked at.

Mr Lammy: Given what the Minister has said, I rise to speak to my new clauses 30 and 31. It cannot be right that there are nine betting shops on one stretch of high street in Green Lanes or that there are 10 betting shops within 300 metres of Ealing Broadway station. It cannot be right that there are 60 gambling establishments within just 300 metres of the pagoda in Chinatown. The gambling industry and bookmakers in particular are flouting the gambling rules; they are opening up right across London and it is unacceptable. That is not to say that we want to condemn gambling—I like to gamble—but it is to say that when it comes to diversity on the high street, local communities and local authorities should have the planning powers to say, "Enough is enough," "No, thank you," and "No more." That is why I think, and I am supported by London councils on this, that betting shops should be in a sui generis class of their own in the same way as casinos and amusement arcades.

I shall force new clause 31 to a vote because I am not satisfied that the Minister is not just kicking this issue into the long grass. There has been a campaign by London Citizens and there is a continuing campaign by faith communities on the issue. Right across London, people are sick to death of seeing one betting shop after another.

It is a great shame that the old Hackney town hall has been turned into a Coral bookmakers. It is unacceptable that countless pubs across the country are being turned into bookmakers. That is the case for every single class use—A2, which is meant to be for building societies and banks, drinking establishments under A4, as has been mentioned, take-aways under A5, and restaurants and cafes under A3. That is why we need action, and why I had hoped the Minister would say that he accepted the amendment, as leaders of councils across London have requested. It is unacceptable to kick the matter into the long grass. I urge the Minister to think again.

Simon Kirby (Brighton, Kemptown) (Con): I shall speak briefly to new clause 5, which stands in my name. The new clause is designed to allow the Secretary of State to change, by order, any piece of planning legislation that is causing any planning authority problems in carrying out its statutory duties or where a particular piece of planning legislation is causing local public controversy. I appreciate that this is an extensive power for the Secretary of State, but I also propose, as part of the same amendment, a strong safeguard in that a variation in the law may be made only if it has been subject to a positive resolution of both Houses of Parliament.

The need for such a power is evidenced by an issue in my constituency. Brighton Marina was built in the 1970s following the lengthy passage of the Brighton Marina Act 1968. The marina is located in an undercliff location on land that was reclaimed from the sea. From the coast road anyone looking at the marina can gaze downwards to see the boats, shops, restaurants, businesses and low-rise accommodation located there. For many years the 1968 Act has been taken to mean that any development above cliff height would be only for ancillary works, such as lamp posts and fencing.

However, in recent years, that has been challenged by proposals for housing development that would rise well above the cliff height. One such scheme was agreed by Brighton and Hove city council but not acted on, and one was turned down by the council. That refusal was sustained last year by my right hon. Friend on appeal, for which I am grateful. Both these developments were highly controversial and there was a clear difference of opinion between residents and the planning authority as to the intention of the 1968 Act. If my amendment to the Bill had been in place, that difference of opinion would not have occurred, because the legislation would have been crystal clear. Instead, we have had years of wrangling and uncertainty and still have no clear view of the meaning of the 1968 Act even now.

The thrust of the coalition Government's policy is to simplify, eliminate and clarify the rules, regulations and legislation faced daily by the public and businesses. My new clause would add significantly to the practical implementation of that policy, and I commend it to the House.

Joan Ruddock: I shall speak to new clauses 30 and 31, with reference to Deptford high street in my constituency. It is one of the oldest and most historic in the country. Although the area is one of multiple deprivation, it has a diverse and vibrant community, a good retail offer and a thriving local market. In recent years we have seen a proliferation of betting shops, such as my right hon. Friend the Member for Tottenham (Mr Lammy), who tabled the new clauses, described from his own constituency experience.

The problem in Deptford started with Coral, which took over a shop that had been used as an art gallery and café, and moved away only because it was so hugely successful that it needed bigger premises. There followed a succession of developments that took many of our most historic buildings and iconic pubs, such as the John Evelyn and the Deptford Arms.

9.45 pm

Roberta Blackman-Woods (City of Durham) (Lab): Does my right hon. Friend also accept that the Bill does not go far enough in protecting assets that are of community value from being transferred to the private sector and that this is something that the Government should have allowed time for us to debate properly tonight?

Joan Ruddock: I very much agree.

There have been the changes of use on Deptford high street that I have described, but at the same time there has been a determination to improve it, and after years of battling we secured the funds, with the co-operation of a Labour Government, for a new station at Deptford and we expected new development to follow. However, who will want to live where they will look out on such a high street? As local campaigner Sue Lawes has described, at No. 14 we have Better Betting, at Nos. 34 to 40 we have William Hill, at No. 44 we have The Money Shop, for payday loans, at Nos. 49 to 50 we have Ladbrokes, at No. 55 we have Paddy Power, at No. 60 we have Fish Brothers pawnbrokers, at No. 70 we have Coral and at No. 72 we have H&T pawnbrokers. The final straw is Betfred's application to take over the old Halifax building. There the change of use would have been required because it was restricted specifically to use by a building society.

The council has of course turned down that application and said, quite reasonably, that there are already far too many betting shops in the area and that it is unnecessary. They say that within the designated core shopping frontage the number of betting shops has reached

"beyond an acceptable level, detracting from the range of retail services available within the defined District Town Centre".

Betfred has of course appealed. We await the result of that appeal with interest.

I put it to the Minister that it cannot be acceptable that, in an area of great deprivation but great spirit, local residents, 700 of whom have signed a petition, have no say in what is done there. I suggest not only that local people must have a say, but that others need to be protected from this kind of proliferation. Surely this is a community that can ill afford to spend what little money it has in betting shops on this scale. I am not opposed to betting; none of us is. It is the cluster effect and the proliferation that must be dealt with, and I very much hope that he will see that that is done.

Philip Davies: I am surprised at the lack of faith that the right hon. Members for Lewisham, Deptford (Joan Ruddock) and for Tottenham (Mr Lammy) have in their own constituents, because betting shops of course go where there is a demand for them. If there was no demand for them on the high streets in Lewisham and Tottenham, presumably some of them would close down.

Mr Lammy: Will the hon. Gentleman give way?

Philip Davies: No, because I do not have enough time.

The fact that these betting shops have not closed down indicates that the right hon. Member's constituents want to use them, which makes them viable. I commend the right hon. Gentleman in particular for leading with his chin on this issue, because of course it was the Gambling Act 2005 that removed the unstipulated demand test. He was not only a member of the Government at the time, but in the Department for Culture, Media and Sport, which introduced the Act which he now finds so offensive. I hope that the Minister will resist the siren voices from the Opposition Benches calling on him to do something about the general principle of supply and demand, which I hope he, as a staunch supporter of the free market, will stick to.

[Philip Davies]

I want to touch on new clause 7, which I have tabled, which relates to casinos. It would give all 600 local authorities fairly and equally the power to decide whether to allow the licensing of casino premises in their areas. The location of casinos was determined by legislation back in 1972, which identified 53 permitted areas on the basis of population data as it stood at the time and added a number of seaside towns. That information is now woefully outdated and denies many local authorities access to investment and jobs and unfairly constrains and confines legitimate and licensed businesses. Despite the emergence of new towns and new centres of population, there have been no changes at all to those permitted areas in almost 40 years. A casino licensed in an existing permitted area can move premises only within the same permitted area in which it was licensed; it may not even transfer to another permitted area, even if a local authority wants it. Those anachronistic and ridiculous constraints have enabled casinos, ironically given our previous discussion, to be crowded into outdated permitted areas. Through my new clause I do not seek to allow any more casinos in this country, even though I probably would not object to that in principle; the same limit would apply to casinos throughout the country. All my new clause would mean was that casinos were able to apply to be outside the existing 53 permitted areas, if local authorities wanted them. We would be giving every local authority the chance to have a casino in their area, if they want it, rather than sticking to outdated rules from more than 40 years ago.

Joan Walley: I will be brief, because there were many references to sustainable development not only in the Minister's introductory comments, but in the speech that the hon. Member for Mid Dorset and North Poole (Annette Brooke) made.

The Minister made what was effectively a winding-up speech at the outset, and I rather suspect that the whole debate about sustainable development will be discussed further in the other place, so I want to send the most powerful message that I can, stating that when that debate takes place we should not just be satisfied with legislation that relates to guidance or with a new framework policy document that might come out in the near future; we should make sure that Parliament defines sustainable development and sets it out clearly in relation to this Bill, in this Bill.

My amendment is supported not only by my hon. Friend the Member for Sheffield South East (Mr Betts), who chairs the Communities and Local Government Committee, but by Friends of the Earth, the Campaign to Protect Rural England, the Royal Society for the Protection of Birds, the Town and Country Planning Association, the Wildlife and Countryside League, the Woodland Trust, WWF UK and many more.

I simply say this by way of a message to the other place. The previous Parliament proposed that the Procedure Committee should allow the recommendations of Select Committees, when there has been a unanimous decision and report, to become material considerations as legislation goes through this place. Were that the case now, I have no doubt that it would have brought forward an opportunity to consider precisely what the Environmental Audit Committee's short, sharp inquiry, which is tagged with today's business, recommended—namely, that there should be a definition of sustainable development to allow for future progress, and that the Localism Bill should include a statutory duty to apply the principles of sustainability to the planning system and other functions of local government, and set out that definition.

We have not got that far with our modernisation of parliamentary procedure, but in the interim I genuinely hope that those valid concerns will be taken into account, so that we have not a whitewash but a means of balancing what many Opposition Members think, and my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) said, are now going to be financial considerations, giving developers free rein to do what they like, with the real principles of sustainable development.

Simon Hughes: I will be literally a minute, because many colleagues wish to speak. This is not quite the way I would have chosen to spend my birthday evening, but there we go.

I want to ensure that the Minister has not ignored my amendments 371, 372 and 370. The first two would require planning authorities to be more effective in their consultation on a planning application, and I suggest that within a quarter of a mile radius of the application site is a much more precise definition than just "the vicinity".

I welcome the abolition of the Infrastructure Planning Commission, and the fact that the arrangements will be taken back into a democratically accountable planning system. In the case of a big scheme such as the one that we may have coming down the track in Southwark for the great Thames sewerage main, I hope that we can still allow local authorities the ability to make the planning decision where there is a large structure in a borough on a particular site that is a unique part of the development. Of course there must be a bigger authority taking a strategic national decision, but where there is a local site of significance, the local authority should have a supplementary power to make that decision too. I hope that at some stage I will get positive noises from the Minister and that we might get appropriate changes at the other end of the building.

Nic Dakin (Scunthorpe) (Lab): I rise to speak to my amendments 11 and 12, which are to do with the right to be heard and equalities. It is very important that individuals and groups have the right to be heard in neighbourhood planning. I am grateful for the Minister's comments. I think he was saying that there would be a presumption in favour of this, but I would be keen to see what criteria people will be using to guard against that happening for a mischievous purpose, or whatever. If the Minister is saying that there is a presumption in favour of oral representation where people want to take that option, that is very important.

On equalities, it is important, under the Equalities Act 2010, to demonstrate that certain people are under-represented in the decision-making process. In 2010, the Equality and Human Rights Commission published its first triennial review "How fair is Britain?", which identified the decline in opportunities for individuals to contribute to decisions that affect their lives as a major risk factor in moving towards a fairer society. I think the Minister said that there is no need for concern about this but that he will consider it further and ensure that equalities legislation is operable in these terms. If that is the case, I welcome it.

Greg Mulholland: I will try to keep my comments brief; realistically, with four minutes to go, I probably cannot keep them any briefer. I know the age of my right hon. Friend the Member for Bermondsey and Old Southwark (Simon Hughes), but I will not reveal it at this stage and just wish him a happy birthday.

I support a levelling of the planning process either by a third-party right of appeal or by the abolition of a developer's right of appeal. Had the amendment in the name of my right hon. Friend been one that would work, I would certainly have supported it. I have just been involved in a planning process in Adel in Leeds, where we had an absolutely farcical situation in which David Wilson Homes, the developer, withdrew its scheme halfway through an appeal, but the system still allowed it to reapply for outline planning permission, which it then got. That was an absolute farce—an entirely shoddy, underhand and anti-localist way of doing things. I want to bring that to Ministers' attention.

On pubs, there has been a lot of talk about the Duck and Drake—the many Duck and Drakes in the country. There is no finer place to hold a neighbourhood forum than in a pub. However, in terms of what this Bill does to strengthen communities' hands in protecting pubs, the most appropriate pub name would probably be the Hot Air Balloon. As I have said to Ministers before, I am afraid that there is very little in the Bill, as it stands, to give communities a greater say. At the moment, although there have been changes, it remains perfectly legal to demolish a free-standing pub without planning permission. The Bill does nothing to change the fact that a pub can become a restaurant, a café, a betting shop or a payday loans shop without communities having any say whatsoever. If the Bill is to do anything to strengthen the hands of local communities, there are simple ways of doing that that do not prevent pubs from being developed when they are genuinely unviable.

On behalf of the all-party save the pub group, I have put this question to the Under-Secretary of State for Communities and Local Government, the hon. Member for Bromley and Chislehurst (Robert Neill), who is the community pubs Minister, but I have not had an answer: do the Government, who claim to be a pro-pub Government, think it is right that profitable pubs that are wanted by their communities are being closed every single day? If the Government do not believe that that is right—I do not believe that any hon. Member in this House believes that it is—they must do something about it. I regret to say that at this stage, there is nothing in the Localism Bill that does that. I know that we will carry on this discussion, and I look forward to doing that and taking up the Minister's offer of a meeting. However, at the moment, it is simply not good enough. If he, the ministerial team and the Government believe in pubs and in genuine localism, they must do more in this Bill. Otherwise, it will be a real opportunity wasted.

10 pm

Debate interrupted (Programme Order, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

The House divided: Ayes 297, Noes 232.

Division No. 276] **[10 pm**

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burns, rh Mr Simon
Burrowes, Mr David
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
  (Monmouth)
Davies, Glyn
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howell, John

Huhne, rh Chris
Hunt, rh Mr Jeremy
Hunter, Mark
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
May, rh Mrs Theresa
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Ayes:
Stephen Crabb and
James Duddridge

NOES

Abbott, Ms Diane
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blears, rh Hazel
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clwyd, rh Ann
Coffey, Ann
Cooper, Rosie
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Dobson, rh Frank
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Engel, Natascha
Esterson, Bill
Evans, Chris
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hancock, Mr Mike
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Horwood, Martin
Howarth, rh Mr George
Hunt, Tristram

Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M.
(Easington)
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sanders, Mr Adrian
Sarwar, Anas
Seabeck, Alison
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Noes:
Mr David Anderson and
Graham Jones

Question accordingly agreed to.

New clause 15 read a Second time, and added to the Bill.

The Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 29

RETAIL DIVERSITY SCHEME

'(1) In Part 2 of the Planning and Compulsory Purchase Act 2004 after section 15 insert—

15A (1) The local planning authority must prepare and maintain a scheme to be known as their retail diversity scheme.

(2) The retail diversity scheme must form part of the Local Development Scheme within two years of the Local Development Scheme being published or within two years of this Act being passed, whichever is later.

(3) The scheme must—

(a) define a network and hierarchy of retail centres in the local authority area,

(b) assess the need for development in retail centres,

(c) identify sites for development based on the sequential approach, and

(d) promote retail diversity.

(4) In this section—

(a) 'retail diversity' means a mix of retail provision that meets the requirements of the local catchment area in terms of range and quality of comparison and convenience retail businesses;

(b) 'sequential approach' means that local planning authorities must identify sites that are suitable, available and viable for development in the following order—

(i) locations in appropriate existing centres;

(ii) edge of centre locations, with preference given to sites that are or will be well connected to existing retail centres;

(iii) out of centre sites with preference given to sites well served by a choice of transport and are closest to an existing centre.

(5) The Secretary of State may direct the local planning authority to make such amendments to the scheme as he thinks appropriate.

(6) Such a direction must contain the Secretary of State's reasons for giving it.

(7) The local planning authority must consult with the local community in developing the scheme.

(8) The local community as defined under subsection (7) must include—

(a) a parish council or parish councils authorised to act in relation to the neighbourhood area or areas to which the retail diversity scheme relates subject to section 61F of the Town and Country Planning Act 1990,

(b) a 'qualifying body' authorised to act in relation to the neighbourhood area or areas to which the retail diversity scheme relates subject to section 61F of the Town and Country Planning Act 1990, and

(c) any other local person at the discretion of the local planning authority.

(9) Where a retail planning application is submitted and there is no retail diversity scheme in place the applicant must provide a statement to the local planning authority that sets out how the development impacts on the criteria identified in subsection (3); and the local planning authority must consult the local community as defined in subsection (8) before coming to a decision on the application."'.—*(Jack Dromey.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 224, Noes 308.

Division No. 277] **[10.13 pm**

AYES

Abbott, Ms Diane
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara

Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blears, rh Hazel
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clwyd, rh Ann
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Dobson, rh Frank
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Engel, Natascha
Esterson, Bill
Evans, Chris
Field, rh Mr Frank
Fitzpatrick, Jim
Fiello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Goggins, rh Paul
Goldsmith, Zac
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Horwood, Martin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Mulholland, Greg
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sanders, Mr Adrian
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Mr David Anderson and
Graham Jones

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burns, rh Mr Simon
Burrowes, Mr David
Byles, Dan
Cairns, Alun
Campbell, Mr Gregory
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse

Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
(Monmouth)
Davies, Glyn
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
May, rh Mrs Theresa
McCartney, Jason
McCartney, Karl
McCrea, Dr William
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paisley, Ian
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, David
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Shailesh Vara and
Mark Hunter

Question accordingly negatived.

New Clause 31

CHANGE OF USE CLASS FOR BETTING OFFICES

'The Town and Country Planning (Use Classes) Order 1987 is amended as follows—

(1) In article 3(6) (exclusion from use classes), at end add—

"(n) as a betting office".

(2) In Part A (Use Classes) of the Schedule to the principal Order, in Class A2(c) omit "(including use as a betting office)".

(3) "Betting office" means premises, other than a track within the meaning of the Gambling Act 2005, in respect of which a betting premises licence under Part 8 of that Act has effect.'—*(Mr Lammy.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 221, Noes 316.

Division No. 278] **[10.26 pm**

AYES

Abbott, Ms Diane
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobbin, Jim
Dobson, rh Frank
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McCrea, Dr William
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M.
(Easington)
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Mr David Anderson and
Graham Jones

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Brazier, Mr Julian
Bridgen, Andrew

Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burns, rh Mr Simon
Burrowes, Mr David
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
(Monmouth)
Davies, Glyn
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lamb, Norman
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
May, rh Mrs Theresa
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soubry, Anna
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Stephen Crabb and
James Duddridge

Question accordingly negatived.

Clause 90

DUTY TO CO-OPERATE IN RELATION TO PLANNING OF SUSTAINABLE DEVELOPMENT

Amendments made: 144, page 61, line 4, after 'authority,', insert—

'(aa) a county council in England that is not a local planning authority,'.

Amendment 145, page 61, line 7, after '(a)', insert ', (aa)'.

Amendment 146, page 61, line 8, after '(b)', insert 'or subsection (7)'.

Amendment 147, page 61, line 11, after 'person', insert '—(a) '.

Amendment 148, page 61, line 13, at end insert

', and

(b) to have regard to activities of a person within subsection (7) so far as they are relevant to activities within subsection (3).'.

Amendment 149, page 61, line 16, leave out from 'documents,' to end of line 17 and insert—

'(c) the preparation of marine plans under the Marine and Coastal Access Act 2009 for the English inshore region, the English offshore region or any part of either of those regions,

(d) activities that can reasonably be considered to prepare the way for activities within any of paragraphs (a) to (c) that are, or could be, contemplated, and

(e) activities that support activities within any of paragraphs (a) to (c),'.

Amendment 150, page 61, line 18, leave out from 'to' to end of line 20 and insert 'a strategic matter.

(3A) For the purposes of subsection (3), each of the following is a "strategic matter"—

(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and

(b) sustainable development or use of land in a two-tier area if the development or use—

(i) is a county matter, or

(ii) has or would have a significant impact on a county matter.

(3B) In subsection (3A)—

"county matter" has the meaning given by paragraph 1 of Schedule 1 to the principal Act (ignoring sub-paragraph 1(1)(i)),

"planning area" means—

(a) the area of—

(b) a National Park,

(c) the Broads,

(d) the English inshore region, or

(e) the English offshore region, and

"two-tier area" means an area—

(a) for which there is a county council and a district council, but

(b) which is not in a National Park.'.—*(Greg Clark.)*

Amendment proposed: 298, page 61, line 20, at end insert—

'(3A) The preparation of Joint Infrastructure Planning Guidance within subsection (3) must involve—

(a) a local planning authority who is also a member of a Local Enterprise Partnership as approved by the Secretary of State; and

(b) every other person within subsection (1).

(3B) The preparation of Joint Infrastructure Planning Guidance within subsection (3) includes in particular—

(a) the collection of evidence on issues defined in subsection (3C);

(b) the preparation of policy guidance in relation to issues defined in subsection (3C); and

(c) any other activities that support joint infrastructure planning.

(3C) For the purpose of subsection (3B) the issues to be addressed include—

(a) housing needs;

(b) climate mitigation and adaptation and in particular flood risk;

(c) economic development including retail needs;

(d) energy needs and capacity;

(e) biodiversity;

(f) natural resource use including water management; and

(g) transport.

(3D) The person or bodies defined in subsection (1) must exercise the function of Joint Infrastructure Planning with the aim of achieving sustainable development and must act under guidance, including as to the meaning of sustainable development, as set out in the UK Sustainable Development Strategy.'.—*(Jack Dromey.)*

Question put, That the amendment be made.

The House divided: Ayes 212, Noes 313.

Division No. 279] [10.38 pm

AYES

Abbott, Ms Diane
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Danczuk, Simon
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Dobbin, Jim
Dobson, rh Frank
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul

Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCarthy, Kerry
McClymont, Gregg
McDonagh, Siobhain
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Mearns, Ian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M.
(Easington)
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Riordan, Mrs Linda
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Sharma, Mr Virendra
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Mr David Anderson and
Graham Jones

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burns, rh Mr Simon
Burrowes, Mr David
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, Mr Gregory
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
(Monmouth)
Davies, Glyn
Davies, Philip
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hancock, Mr Mike
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin

Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lamb, Norman
Lancaster, Mark
Latham, Pauline
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Charlotte
Lewis, Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
May, rh Mrs Theresa
McCartney, Jason
McCartney, Karl
McCrea, Dr William
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paisley, Ian
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, David
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soubry, Anna
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Shailesh Vara and
Mark Hunter

Question accordingly negatived.

Clause 90

DUTY TO CO-OPERATE IN RELATION TO PLANNING OF SUSTAINABLE DEVELOPMENT

Amendments made: 151, page 61, line 21, leave out '(2)' and insert '(2)(a)'.

Amendment 152, page 61, leave out lines 23 to 30 and insert—

'(a) considering whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of activities within subsection (3), and

(b) if the person is a local planning authority, considering whether to agree under section 28 to prepare joint local development documents.'.

Amendment 153, page 61, line 36, at end insert—

(7) A person is within this subsection if the person is a body, or other person, that is prescribed or of a prescribed description.'.

Amendment 154, page 61, line 36, at end insert—

(8) In this section—

"the English inshore region" and "the English offshore region" have the same meaning as in the Marine and Coastal Access Act 2009, and

"land" includes the waters within those regions and the bed and subsoil of those waters.'.

Amendment 155, page 61, line 36, at end insert—

'(2) In section 16 of the Planning and Compulsory Purchase Act 2004 (applying Part 2 for purposes of a county council's minerals and waste development scheme) after subsection (4) insert—

(5) Also, subsection (3)(b) does not apply to section 33A(1)(a) and (aa).'".

Amendment 156, page 61, line 36, at end insert—

'(3) In section 20(5) of the Planning and Compulsory Purchase Act 2004 (development plan documents: purpose of independent examination) after paragraph (b) insert "; and

(c) whether the local planning authority complied with any duty imposed on the authority by section 33A in relation to its preparation."'.—*(Greg Clark.)*

Clause 92

ADOPTION AND WITHDRAWAL OF DEVELOPMENT PLAN DOCUMENTS

Amendments made: 157, page 62, line 29, after 'conclude', insert '—

(i) '.

Amendment 158, page 62, line 30, at end insert 'and

(ii) that the local planning authority complied with any duty imposed on the authority by section 33A in relation to the document's preparation,'.—*(Greg Clark.)*

Schedule 9

NEIGHBOURHOOD PLANNING

Amendments made: 159, page 288, line 11, leave out 'section 61G' and insert 'sections 61G and 61GA(1)'.

Amendment 160, page 289, leave out lines 20 to 30 and insert—

'(a) it is established expressly for either or both of the following purposes—

(i) furthering the social, economic and environmental well-being of individuals living, or wanting to live, in an area that consists of or includes the neighbourhood area concerned,

(ii) promoting the carrying on of trades, professions or other businesses in such an area,

(b) its membership is open to—

(i) individuals who live in the neighbourhood area concerned,

(ii) individuals who work there (whether for businesses carried on there or otherwise), and

(iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(c) its membership includes a minimum of 21 individuals each of whom—

(i) lives in the neighbourhood area concerned,

(ii) works there (whether for a business carried on there or otherwise), or

(iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(d) it has a written constitution, and

(e) such other conditions as may be prescribed.'.

Amendment 161, page 289, line 34, at end insert—

'(aa) must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—

(i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),

(ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and

(iii) whose purpose reflects (in general terms) the character of that area,'.

Amendment 162, page 290, line 28, at end insert—

'(d) requiring a local planning authority to have regard (in addition, where relevant, to the matters set out in subsection (7)(aa)) to prescribed matters in determining whether to designate an organisation or body as a neighbourhood forum.'.

Amendment 163, page 292, line 2, at end insert—

61GA Neighbourhood areas in areas of two or more local planning authorities

(1) The power to designate an area as a neighbourhood area under section 61G is exercisable by two or more local planning authorities in England if the area falls within the areas of those authorities.

(2) Regulations may make provision in connection with—

(a) the operation of subsection (1), and

(b) the operation of other provisions relating to neighbourhood development orders (including sections 61F and 61G) in cases where an area is designated as a neighbourhood area as a result of that subsection.

(3) The regulations may in particular make provision—

(a) modifying or supplementing the application of, or disapplying, any of the provisions mentioned in subsection (2)(b),

(b) applying (with or without modifications) any provision of Part 6 of the Local Government Act 1972 (discharge of functions) in cases where the provision would not otherwise apply,

(c) requiring local planning authorities to exercise, or not to exercise, any power conferred by any provision of that Part (including as applied by virtue of paragraph (b)), and

(d) conferring powers or imposing duties on local planning authorities.'.

Amendment 164, page 293, line 31, leave out 'commences' and insert 'begins'.

Amendment 165, page 293, line 41, leave out 'commenced' and insert 'begun'.

Amendment 166, page 296, line 11, at end insert—

(ba) in subsection (5), for "to be adopted, approved or published (as the case may be)" substitute "to become part of the development plan",'.

Amendment 167, page 297, line 39, leave out 'section 61G' and insert 'sections 61G and 61GA(1)'.

Amendment 168, page 298, line 6, at end insert—

"(1A) Only one neighbourhood development plan may be made for each neighbourhood area.'.

Amendment 169, page 298, line 26, at end insert—

'(ab) section 61GA(2) and (3) (neighbourhood areas in areas of two or more local planning authorities),'.

Amendment 170, page 299, line 2, at end insert—

'(d) paragraph 8 is to have effect as if sub-paragraphs (2)(aa) and (ab) and (2A) to (2C) were omitted.'.—*(Greg Clark.)*

Schedule 10

PROCESS FOR MAKING OF NEIGHBOURHOOD DEVELOPMENT ORDERS

Amendments made: 171, page 302, leave out lines 27 and 28.

Amendment 172, page 302, line 31, at end insert—

"(7) The Secretary of State or another local planning authority may enter into arrangements with the authority for the provision of the services of any of their employees as examiners.

(8) Those arrangements may include—

(a) provision requiring payments to be made by the authority to the Secretary of State or other local planning authority, and

(b) other provision in relation to those payments and other financial matters.'.

Amendment 173, page 302, line 46, at end insert—

(aa) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,

(ab) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,'.

Amendment 174, page 303, line 8, at end insert—

"(2A) Sub-paragraph (2)(aa) applies in relation to a listed building only in so far as the order grants planning permission for development that affects the building or its setting.

(2B) Sub-paragraph (2)(ab) applies in relation to a conservation area only in so far as the order grants planning permission for development in relation to buildings or other land in the area.

(2C) In this paragraph "listed building" has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990.'.—*(Greg Clark.)*

Schedule 11

NEIGHBOURHOOD PLANNING: COMMUNITY RIGHT TO BUILD ORDERS

Amendments made: 175, page 312, line 31, at end insert—

"(6) Any reference in this Act or any other enactment to paragraph 12 of Schedule 4B includes a reference to that paragraph as modified in accordance with this paragraph.'.

Amendment 176, page 313, line 10, leave out 'by a community organisation'.—*(Greg Clark.)*

Clause 100

FINANCIAL ASSISTANCE IN RELATION TO NEIGHBOURHOOD PLANNING

Amendments made: 177, page 71, line 15, leave out from 'may' to end of line 16 and insert 'do anything that the Secretary of State considers appropriate—'.

Amendment 178, page 71, line 20, leave out from 'of' to 'anything' in line 21 and insert 'giving advice or assistance to anyone in relation to the making of proposals for such orders or plans or the doing of'.

Amendment 179, page 71, line 22, at end insert—

'(1A) The things that the Secretary of State may do under this section include, in particular—

(a) the provision of financial assistance (or the making of arrangements for its provision) to any body or other person, and

(b) the making of agreements or other arrangements with any body or other person (under which payments may be made to the person).'.

Amendment page 71, line 23, at end insert—

'(za) the reference to giving advice or assistance includes providing training or education,'.—*(Greg Clark.)*

Schedule 12

NEIGHBOURHOOD PLANNING: CONSEQUENTIAL AMENDMENTS

Amendments made: 181, page 313, line 25, at end insert—

1A In section 56(3) (time when development begun)—

(a) after "sections" insert "61J(5) and (7),", and

(b) for "and 94" substitute ", 94 and 108(3E)(c)(i)".'.

Amendment 182, page 315, line 34, leave out 'started' and insert 'begun'.—*(Greg Clark.)*

Clause 102

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Amendments made: 183, page 72, line 9, leave out from 'must' to 'carry' in line 10.

Amendment 184, page 104, line 3, leave out Clause 119.—*(Greg Clark.)*

New Clause 16

PROVISION OF ADVICE AND ASSISTANCE IN RELATION TO COMMUNITY RIGHT TO CHALLENGE

'(1) The Secretary of State may do anything that the Secretary of State considers appropriate for the purpose of giving advice or assistance to a relevant body in relation to—

(a) the preparation of an expression of interest for submission to a relevant authority and its submission to a relevant authority,

(b) participation in a procurement exercise carried out by a relevant authority in response to an expression of interest, or

(c) the provision of a relevant service on behalf of a relevant authority following such a procurement exercise.

(2) The Secretary of State may do anything that the Secretary of State considers appropriate for the purpose of giving advice or assistance about the operation of this Chapter to a body or person other than a relevant body.

(3) The things that the Secretary of State may do under this section include, in particular—

(a) the provision of financial assistance to a relevant body;

(b) the making of arrangements with a body or person (whether or not a relevant body), including arrangements for things that may be done by the Secretary of State under this section to be done by that body or person;

(c) the provision of financial assistance to a body or person other than a relevant body in connection with arrangements under paragraph (b).

(4) In this section references to a relevant body include a body that the Secretary of State considers was formed wholly or partly by employees or former employees of the relevant authority for the purposes of, or for purposes including—

(a) participating in a procurement exercise carried out by the authority, or

(b) providing a relevant service on the authority's behalf.

(5) In this section—

(a) the reference to giving advice or assistance includes providing training or education, and

(b) any reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).'.—*(Greg Clark.)*

Brought up, and added to the Bill.

New Clause 17

PROVISION OF ADVICE AND ASSISTANCE IN RELATION TO LAND OF COMMUNITY VALUE IN ENGLAND

'(1) The Secretary of State may do anything that the Secretary of State considers appropriate for the purpose of giving advice or assistance—

(a) to anyone in relation to doing any of the following—

(i) taking steps under or for purposes of provision contained in, or made under, this Chapter so far as applying in relation to England, or

(ii) preparing to, or considering or deciding whether to, take steps within sub-paragraph (i), or

(b) to a community interest group in relation to doing any of the following—

(i) bidding for, or acquiring, land in England that is included in a local authority's list of assets of community value,

(ii) preparing to, or considering or deciding whether or how to, bid for or acquire land within sub-paragraph (i), or

(iii) preparing to, or considering or deciding whether or how to, bring land within sub-paragraph (i) into effective use.

(2) The things that the Secretary of State may do under this section include, in particular—

(a) the provision of financial assistance to any body or other person;

(b) the making of arrangements with a body or other person, including arrangements for things that may be done by the Secretary of State under this section to be done by that body or other person.

(3) In this section—

(a) the reference to giving advice or assistance includes providing training or education,

(b) "community interest group" means a person who is a community interest group for the purposes of section79(3) as a result of regulations made under section79(6) by the Secretary of State, and

(c) the reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).'.—*(Greg Clark.)*

Brought up, and added to the Bill.

New Clause 18

Provision of advice and assistance in relation to land of community value in Wales

'(1) The Welsh Ministers may do anything that they consider appropriate for the purpose of giving advice or assistance—

(a) to anyone in relation to doing any of the following—

(i) taking steps under or for purposes of provision contained in, or made under, this Chapter so far as applying in relation to Wales, or

(ii) preparing to, or considering or deciding whether to, take steps within sub-paragraph (i), or

(b) to a community interest group in relation to doing any of the following—

(i) bidding for, or acquiring, land in Wales that is included in a local authority's list of assets of community value,

(ii) preparing to, or considering or deciding whether or how to, bid for or acquire land within sub-paragraph (i), or

(iii) preparing to, or considering or deciding whether or how to, bring land within sub-paragraph (i) into effective use.

(2) The things that the Welsh Ministers may do under this section include, in particular—

(a) the provision of financial assistance to any body or other person;

(b) the making of arrangements with a body or other person, including arrangements for things that may be done by the Welsh Ministers under this section to be done by that body or other person.

(3) In this section—

(a) the reference to giving advice or assistance includes providing training or education,

(b) "community interest group" means a person who is a community interest group for the purposes of section79(3) as a result of regulations made under section79(6) by the Welsh Ministers, and

(c) the reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).'.—*(Greg Clark.)*

Brought up, and added to the Bill.

Clause 44

Ground for determination

Amendment made: 185, page 31, line 25, leave out subsection (5).—*(Greg Clark.)*

Clause 55

Interpretation

Amendment made: 186, page 36, line 45, at end insert—

'(3) For the purposes of this Chapter the Inner Temple and the Middle Temple are to be treated as falling within the ward of Farrington Without in the City of London (and so are to be treated as falling within the area of the Common Council of the City of London for those purposes).'.—*(Greg Clark.)*

Schedule 5

New Chapter 4ZA of Part 1 of the Local Government Finance Act 1992

Amendments made: 187, page 254, line 10, after 'falls', insert 'wholly or partly'.

Amendment 188, page 264, line 10, after second 'for', insert 'the part of'.

Amendment 189, page 264, line 10, after 'area', insert 'comprising the authority's area'.

Amendment 190, page 37, line 7, leave out Clause 57.—*(Greg Clark.)*

Bill to be further considered tomorrow.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

Social Security

That the draft Employment and Support Allowance (Work-Related Activity) Regulations 2011, which were laid before this House on 28 February, be approved.—*(Mr Newmark.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

International Development

That the draft Debt Relief (Developing Countries) Act 2010 (Permanent Effect) Order 2011, which was laid before this House on 28 March, be approved.—*(Mr Newmark.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

LANDFILL TAX

That the Landfill Tax (Qualifying Material) Order 2011 (S.I., 2011, No. 1017), dated 31 March 2011, a copy of which was laid before this House on 31 March, be approved.—*(Mr Newmark.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

CARE OF CATHEDRALS MEASURE

That the Care of Cathedrals Measure (HC 868), passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.—*(Tony Baldry.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ECCLESIASTICAL FEES (AMENDMENT) MEASURE

That the Ecclesiastical Fees (Amendment) Measure (HC 870), passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.—*(Tony Baldry.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

MISSION AND PASTORAL MEASURE

That the Mission and Pastoral Measure (HC 869), passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.—*(Tony Baldry.)*

Question agreed to.

The Vice-Chamberlain of Her Majesty's Household (Mr Mark Francois): Amen.

Mr Speaker: The senior Whip on duty says amen, which will doubtless be noted on the record.

Public Health Observatories

Motion made, and Question proposed, That this House do now adjourn.—*(Mr Newmark.)*

10.54 pm

Grahame M. Morris (Easington) (Lab): I am grateful to have this opportunity to raise the very important subject of the future of our public health observatories, which are an integral part of the national health service. They are responsible for public health intelligence work—collecting the evidence base and directing how different agencies work to improve public health. It might be useful if I give a definition of public health. The best definition I have been able to find is one from the World Health Organisation's expert committee on public health administration that was published as long ago as 1952. It defined public health as

> "the science and art of preventing disease, prolonging life, and promoting health and efficiency through organized community efforts for the sanitation of the environment, the control of communicable infections, the education of the individual in personal hygiene, the organization of medical and nursing services for early diagnosis and preventive treatment of disease, and the development of the social machinery to ensure for every individual a standard of living adequate for the maintenance of health, so organizing these benefits as to enable every citizen to realize his birthright of health and longevity."

The Association of Public Health Observatories represents and co-ordinates a network of 12 public health observatories in Scotland, Wales, England, Northern Ireland and the Republic of Ireland. That body brings together joint public health intelligence work from all its organisations across the United Kingdom and Ireland and also works in collaboration with its counterparts across Europe. Without that range of high-quality and trustworthy knowledge, expertise and support from public health observatories, much of the work carried out by practitioners and, indeed, local authorities, policy makers and the wider community, would be carried out in the dark. That would, without doubt, result in a less focused and less effective service delivery. All that makes public health observatories central to both local and central Government health policy and decision making.

Public health observatories were set up to monitor the state of the public's health and the causes of poor health and health inequalities, with the information being used by a range of organisations involved in providing health care, including the NHS. The White Paper, "Saving Lives: Our Healthier Nation", which was published by the Department of Health in 1999, proposed the establishment of the public health observatories that were then set up in 2000 by the Labour Government. The Association of Public Health Observatories was also established in 2000. That umbrella group provides a link between regional public health observatories and national arrangements. It comprises representatives from all the regional public health observatories, the Department of Health and other partners, and one concern that I wish to raise is the fact that its funding has been removed this year.

I hope that the Minister will accept that improving the knowledge and evidence base behind health care was a key element of the previous Government's policy and was instrumental in making progress in tackling health inequalities. The changes outlined by the Health Secretary in the Health and Social Care Bill move us away from a co-ordinated health service towards a competition-based health service. The public health White Paper, "Healthy Lives, Healthy People", published on 30 November 2010, set out a new structure for public health in England. Its aim was to shift the balance of responsibility away from central Government to local authorities. There has also been much greater emphasis on the need for people to be supported in taking more responsibility for their own health—the so-called nudge philosophy.

There are many public health issues that I would like to discuss but unfortunately do not have time to develop tonight because of the shortage of time. I want to press on and put some points to the Minister, particularly about public health observatories, and I hope she will have the opportunity to respond to them.

Jim Shannon (Strangford) (DUP): Prevention is key to having a healthier nation and perhaps this issue should be reconsidered in the NHS review, as it might help to improve the nation's health.

Grahame M. Morris: I am grateful for that and I agree. It is fundamental to have a solid evidence base on which to plan health interventions.

As I mentioned, the Government propose in the Health and Social Care Bill to transfer health improvement functions from PCTs to local authorities, and to create a new body, Public Health England, to be rooted in the Department of Health. Public Health England is expected to take on full responsibility for overseeing the local delivery of public health services, as well as dealing with national issues such as flu pandemics and other population-wide health threats from next year. The majority of public health services will be commissioned by local authorities. However, the revolution under way in the NHS is just as important to the future of public health in England.

The Bill, which proposes the abolition of strategic health authorities and primary care trusts, raises more questions than it answers. The responsibilities currently held by PCTs could be moved to local authorities, to the Department of Health, to commissioning consortia or to the NHS commissioning board. How the important work of public health observatories will be safeguarded for the future is still unknown. The decision to divide public health responsibilities between the Department of Health and local authorities will fragment any cohesive approach to tackling health inequalities. Whether new commissioning consortia will carry out some functions is at this stage unknown.

There are further concerns about whether Public Health England should be outside the Department of Health to protect its independence. If it was placed within the NHS, perhaps as a special health authority, surely that would better meet the Government's own aim, often stated, of liberating the NHS from political control.

The Minister will be aware of the response to the White Paper by the public health observatories in March 2011. That response calls for a sub-national level of organisation of Public Health England to be created, with sufficient critical mass to ensure that the outputs of Public Health England continue to be valuable locally as well as nationally. There are many examples where that is the case, not least in my own region, the north-east, where the public health observatory has done excellent work on addressing inequalities that affect people with mental health issues and inhibit their ability to access services. The lessons of that can be rolled out across the country.

The important work of the observatories over the past decade has been self-evident. On 24 June 2008 the health profiles for every local authority and region across England were published jointly by the Department of Health and the Association of Public Health Observatories, an organisation which, as I mentioned earlier, has lost all its funding. Using key health indicators, public health observatories were able to pinpoint national health statistics at a local level, providing valuable information to address health inequalities and improve health outcomes.

As the Minister at the time, my right hon. Friend the Member for Bristol South (Dawn Primarolo), now the Deputy Speaker, noted, the importance of those statistics was

> "to target local health hotspots with effective measures to make a real difference."

In my constituency, Healthworks, an excellent clinic established in Paradise lane in Easington and opened by Sir Derek Wanless, is a prime example of how that information collected by the observatories was used to great effect to target the areas in greatest need.

The Association of Public Health Observatories, with the Department of Health, also published a health inequalities intervention toolkit to enable every English local authority to model the effect of high-impact interventions on the life expectancy gap. As far back as 1977, the Department of Health's chief scientific adviser, Sir Douglas Black, was asked to produce a report on the extent of health inequalities in the UK and how best to address them. The report proved conclusively that death rates for many diseases were higher among those in the lower social classes. It acknowledged that the NHS could do much more to address the situation. It called for increases in child benefit, improvements in maternity allowances, more pre-school education, an expansion of child care and better housing. A further report was subsequently produced by Professor Peter Townsend. Indeed, only last week I attended a seminar, in which the principal speaker was Sir Michael Marmot, on the impact of cold homes on health outcomes. The report indicated that the cost to the NHS of illness resulting from poorly insulated houses and cold homes is £2 million a year.

Ian Lavery (Wansbeck) (Lab): Is my hon. Friend aware of the Marmot report—

The Parliamentary Under-Secretary of State for Health (Anne Milton): Marmite?

Ian Lavery: The Marmot review, published in 2010, stated clearly, as one of its nine objectives:

> "Economic growth is not the most important measure of our country's success. The fair distribution of health, well-being and sustainability are important social goals. Tackling social inequalities in health and tackling climate change must go together."

Grahame M. Morris: I am grateful to my hon. Friend for mentioning that important and contemporary report. I completely agree with Sir Michael Marmot's findings—

[Grahame M. Morris]

and Marmite is also very good for public health. Building on the work of Professor Townsend and Sir Douglas Black, Sir Michael Marmot states as one of his recommendations:

> "Action taken to reduce health inequalities will benefit society in many ways. It will have economic benefits in reducing losses from illness associated with health inequalities. These currently account for productivity losses, reduced tax revenue, higher welfare payments and increased treatment costs."

I mentioned the economic benefits of insulating houses. It would be a real step forward if the Marmot report's six principal recommendations were incorporated and linked to quality standards in the public health outcomes framework that the National Institute for Health and Clinical Excellence is working on.

Ian Mearns (Gateshead) (Lab): My hon. Friend mentioned the Black report, the Townsend report and the Marmot report, and I wonder whether Government officials and Ministers might in due course come to regard the Marmot review a little like Marmite—either loving it or hating it—in respect of its findings, because it is clear that the need to monitor what is going on in public health across the regions of England, such as the north-east, is vital for future policy developments.

Grahame M. Morris: Absolutely. That is a critical issue. In some respects, the Government have taken their eye off the ball. I will develop that point a little later and would like the Minister to respond to it.

As my hon. Friend pointed out, there is a clear and present danger of a reversal of health inequalities, which would be exacerbated by decisions taken elsewhere across Government. It is such an important issue, and one that I have long campaigned on. As someone who has worked in the health service and served on a local authority, I feel very passionately about it.

Remarkably, we are now considering proposals that risk losing our greatest weapon in tackling public health inequalities: evidence-based health intelligence. More recently, as my hon. Friends have noted, the Marmot review has restated the link between socio-economic factors and health, which are known as the wider determinants of health. One of the more serious threats to the future of public health intelligence is its future funding under the new arrangements proposed by the Government. In my view, the Secretary of State has shown little interest in the functioning of public health intelligence under these proposed structures.

Public health policies must take account of local circumstances as health inequalities remain stark, particularly in areas such as my constituency. For example, smoking-related deaths vary greatly across different parts of the country. Public health intelligence must drive public health practice. I appreciate that public health observatories self-generate revenue, alongside their Department of Health grant and moneys from primary care trusts and strategic health authorities. They also have opportunities to gain commissions from universities and charitable organisations, but it would be extremely risky to proceed down the Government's proposed route without the certainty of their core Department of Health funding, which I understand is to be reduced by 30% this year.

Staff and people associated with the service have reported to me that valued employees are already being laid off at the north-west public health observatory, which is based at Liverpool John Moores university, and there is a similar situation at the north-east public health observatory. Local authorities commission the majority of public health services from a ring-fenced budget. What assurances can the Minister give me on safeguarding through this hiatus—this period of transition—and for the long term under the new arrangements?

I also thank David Kidney, the former Member for Stafford, who is now head of policy at the Chartered Institute of Environmental Health, for his assistance in preparing for this debate. The institute has stated its view that Public Health England must be established with a degree of independence, a point I made earlier, and with the ability to oversee arrangements for collecting, analysing and disseminating valuable data for public health services.

In short, it is now time for Ministers to provide concrete assurances that the role of public health intelligence, the collection of the evidence base and, in particular, public health observatories will be safeguarded for the future.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab) *rose—*

Madam Deputy Speaker (Dawn Primarolo): Order. There are just over 10 minutes left, so is it by agreement that I call the hon. Member?

Grahame M. Morris *indicated assent.*

Madam Deputy Speaker: I call Diane Abbott.

11.11 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I congratulate my hon. Friend the Member for Easington (Grahame M. Morris) on raising this very important issue on the Adjournment. I, like everyone else in the Chamber, want to hear what the Minister has to say in response to the important points that he has made.

One reason why my hon. Friend's debate is so important is that, amid all the public anger about the health service reforms, the effects on public health have not received the attention that they should have. Speaking as an east end MP, I must say that the information that the public health observatories produce is important in ensuring that whoever commissions services commissions for the population, not just for GPs' lists. I live in an area where many communities are either not registered with a GP or in other ways socially excluded.

My hon. Friend has raised the important issue of health inequality, and it is easy to talk about that in the abstract, but we should reflect on the fact that this is 2011, because the life expectancy of someone in the richest part of Glasgow is 10 years more than that of someone in the poorest part, and if we take the Jubilee line tonight we will find that the people living at every stop from Westminster going east until Canning Town lose a few years in life expectancy. This is a very real issue and an indictment of our society. I congratulate my hon. Friend again on raising it, and I will listen with interest to what the Minister has to say.

11.13 pm

The Parliamentary Under-Secretary of State for Health (Anne Milton): I am grateful to the hon. Member for Easington (Grahame M. Morris) for raising the subject of public health observatories, and I should probably declare an interest, because my husband is a public health physician. Anybody who has an interest in public health knows how important the observatories are, but time is very short, and I will not get to all the points that the hon. Gentleman made.

The public health observatories have been around for more than a decade, and they produce a whole series of high-quality data. Annual health profiles, for instance, of local areas allow for those comparisons that are so important, and there is no doubt about the importance of reducing inequalities. The reports of Sir Douglas Black, Peter Townsend and more recently Sir Michael Marmot are all key documents.

It is important to remember that over the past decade or so health inequalities have become worse, but I point no fingers, because it is testament to the fact that it is extremely difficult to reduce inequalities. The hon. Gentleman mentioned several issues that contribute to that. There are a range of factors, not least changing people's behaviour, which is not easy. The Government's contribution of £12 million to the observatories is testament to how important it is that we get good intelligence. He will have read the public health White Paper, in which he will see our commitment to this. For the first time, we will ring-fence funds for public health.

The movement of public health into local authorities has been fairly widely welcomed. There are transitional arrangements that we need to get right, but it will be based on a direct line of sight from the Department of Health, as we need to bring some things together. We need clear responsibilities and a clear outcomes framework to ensure that local authorities give us what we need, with all that based on good and sound intelligence. Although the public health observatories have done a very good job, there are some areas—for instance, changing behaviour—where the intelligence is not good and we have not collected it together.

We want the data and evidence from the observatories to be used to improve the health of everybody, regardless of age, ethnicity, gender, income or sexuality. The public health White Paper sets out a clear life-course approach to that. It is impossible to make these changes without good intelligence and information. Despite the wealth of data, the evidence of what works is not necessarily being used as effectively as it could be, nor is it as widely available as it could be, and it remains only part of the information that we need. In any system where there are numerous stand-alone organisations, there are always dangers of overlap and duplication, and we want to eliminate that as much as possible. In short, we want to move from a system where we have a complex web of information functions performed by multiple organisations towards a system where that information is fully integrated into the public health system.

As the hon. Gentleman said, this is not about one Department—the Department of Health—doing it alone, but about public health being absolutely everybody's business. The difference can be made from the top to the bottom in Government and right across the different Departments; it is an issue for us all. If we are truly to make inroads into these very persistent, difficult to move inequalities in health, we have to approach it in that way. There is no question of losing the main functions of the observatories; on the contrary, in fact. By transferring those functions to Public Health England, we will improve how they are used.

The hon. Gentleman will be aware that we have consulted for several months on the new public health system, and we are continuing to listen. It is very interesting to see what we are getting back, with a warm welcome for many of the changes. There are always anxieties about difficult periods of transition. We have convened a working group on information and intelligence for public health, which is chaired by the regional director of public health for South Central Strategic Health Authority, Professor John Newton. It has representatives from the Department, the Health Protection Agency, the public health observatories and the cancer registries, and it is meeting fortnightly to develop our approach to public health information and intelligence. This is an opportunity to get it absolutely right.

The future of the observatories is being very closely managed, and that includes their locations. Department of Health funding for the observatories has been agreed for 2011-12. Although there has been a reduction in the core contribution for each observatory, the Department of Health funding set aside as the core public health information and intelligence budget remains similar to previous years, and that will be supplemented by additional Department of Health grants, so overall funding will be about the same.

I should like to thank the north-east public health observatory for its contributions, including in relation to the national library for public health and the learning disability specialist observatory. Its strong strategic relationship with the academic sector through its host, the university of Durham, has been particularly beneficial. Officials in the Department are in regular contact with both institutions so that financial and other pressures are addressed as they arise. Like most of its counterparts, the north-east observatory receives income from the Department of Health, the NHS and others. I understand that it currently has a working capital of about £1 million, which is not insignificant.

The university's human resources policies require it to alert staff at least six months before any changes in employment, which is important for staff at this uncertain time. We are making sure that the university is aware of the ongoing need for the observatory's work, and hence its expert staff. It is important that we do not see any loss in that.

We are lucky in this country to have such a rich source of expertise. We must ensure that we maximise the benefit of that expertise, knowledge and intelligence. I hope that I have reassured the hon. Gentleman. I thank him for raising this issue and giving me an opportunity to say how much we value the work of observatories. Their functions remain indispensable, but they must adapt to the new system. We want to streamline the system and do what we set out to do, which is to reduce inequalities in health. We will base any action we take on sound evidence.

Ms Abbott: Will the Minister explain how, under the proposed system, we can make the free-standing GP commissioning consortia, some of which may be managed

[Ms Abbott]

by private-sector organisations, pay attention in their commissioning decisions to the issues raised by public health observatories and others? It seems to me that without PCTs and other regional structures, it will be perfectly possible for the commissioning structures to ignore what public health observatories say.

Anne Milton: I thank the hon. Lady for raising that point. In fact, we inherited that system. Time and time again, budgets for public health have been raided to meet short-term commitments. One point of ring-fencing public health funding is to ensure that public health is central to the work that the local authority does and that it informs the commissioning arrangements in a local area. It is not good having just one area looking at public health. We are ring-fencing that money and will have a clear outcomes framework that sets out what the Government expect.

We will ensure that the consortia have regard to the public's health. When we say "public health" it can sound a bit jargonistic. We are talking about the public's health and about reducing the inequalities that have dogged society up to now and which successive Governments have failed to reduce. We have to do something different. We are moving from a system in which public health got sidelined and in which the work of public health observatories, although valuable, was not mainstream, to a system where that work is brought into the mainstream and into the direct line of sight. All those who make commissioning decisions and all local authorities should hear the clear message from Government that public health is everybody's business.

Question put and agreed to.

11.23 pm

House adjourned.

House of Commons

Wednesday 18 May 2011

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Independent International Commission on Decommissioning

1. **Heidi Alexander** (Lewisham East) (Lab): When he expects to receive a final report on armaments from the Independent International Commission on Decommissioning. [55379]

The Secretary of State for Northern Ireland (Mr Owen Paterson): With permission, Mr Speaker, I would like to begin by paying tribute to David Cairns, the former Member for Inverclyde, who died recently. He served as a Minister in the Northern Ireland Office for a short time in the run-up to devolution in 2007, and was liked and respected in all parts of the House. I speak for many in Northern Ireland in passing on our sincere condolences.

The British and Irish Governments have been presented with the IICD's final report, which focuses on commissioners' experiences and lessons learned. I am considering the report with my counterpart in the Irish Government and we will publish it in due course.

Heidi Alexander: I thank the Secretary of State for his reply, and may I associate myself with the condolences he expressed?

When the Secretary of State announced the dissolution of the IICD and the Independent Monitoring Commission at the end of March, he thanked the commissioners for the crucial part they played in assisting Northern Ireland's transition to a peaceful, stable and inclusive society. Given developments since, what plans does he have to continue the work previously undertaken by those bodies?

Mr Paterson: I am grateful to the hon. Lady for her question and her comments. I would like to put on record our thanks to General de Chastelain, Brigadier Nieminen and Andrew Sens for the work they have done over the years. We intend to keep Parliament updated on developments, probably by written statements.

Mr Jeffrey M. Donaldson (Lagan Valley) (DUP): May I pay tribute on behalf of my colleagues to the late David Cairns, former Northern Ireland Minister, for the excellent work he undertook during his time in that post, and pass on our sympathies to his family?

I am sure the Secretary of State will join me in congratulating the Police Service of Northern Ireland and the Garda on the recent Northern Ireland weapons finds in East Tyrone and South Armagh. Will he give an assurance that the amnesty previously offered under the decommissioning legislation to those handing in, and in possession of, such weapons will no longer apply, and that anyone caught in possession of weapons will be brought before the courts and any evidence arising from examination of the weapons will be used in prosecutions?

Mr Paterson: I am grateful to the right hon. Gentleman for his question, and I entirely endorse his comments on the co-operation between the PSNI and the Garda and the recent arms finds in Tyrone. The amnesty to which he refers expired in February 2010, and we have no plans to reintroduce it. There is no place for arms in today's Northern Ireland. Everyone can pursue their legitimate aims by peaceful democratic means, and those caught with arms will go through the due process of law.

Security Threat

2. **Mr David Hanson** (Delyn) (Lab): What discussions he has had with the Northern Ireland Executive on the level of security threat from dissidents. [55380]

The Secretary of State for Northern Ireland (Mr Owen Paterson): Close co-operation with the Northern Ireland Executive plays a major part in our efforts to counter the threat from terrorism in Northern Ireland. This involves regular discussions with the Executive's Justice Minister. I look forward to continuing work with the new Executive in the coming weeks and months on the security, economic and community aspects of this problem.

Mr Hanson: First, may I thank the Secretary of State for his tribute to David Cairns, whom I served with as a Northern Ireland Minister some years ago?

The Secretary of State will know that the PSNI is making good progress in capturing weapons and Semtex, but, with more than 100 bombings in the last year alone, I believe it is clear that supply is coming from outside Northern Ireland. Will he work with the Executive, the Home Office, the Irish authorities and, indeed, international authorities to ensure that he does everything possible to stem the supply of such material from outside Northern Ireland?

Mr Paterson: I thank the right hon. Gentleman for his question, and pay tribute to his work on Northern Ireland. He is absolutely right that we must make sure that at every level of government we work to stem the flow of fresh arms into Northern Ireland. We now have unprecedented co-operation. That is the case not only between the Westminster Government and the Northern Ireland Executive—I pay tribute to all those who have recently been elected to the Executive, and I am delighted that David Ford, whom I spoke to this morning, has been re-elected—but there is also exceptional co-operation with the Garda. I discussed this matter with the Home Secretary yesterday as well, so we are clearly working at all levels.

Mr Laurence Robertson (Tewkesbury) (Con): May I also pay tribute to David Cairns on behalf of the Select Committee on Northern Ireland Affairs? I had the honour of working with him on a number of Committees and always found him to be extremely efficient and courteous.

All Members will recall the show of paramilitary strength by men in balaclavas over the Easter period, which brings shame to Northern Ireland. Will the Secretary of State give an update on what is being done to pursue those who obviously have common cause with those who were threatening violence?

Mr Paterson: I thank the Chairman of the Select Committee for his remarks. As he will have seen over the weekend, the police investigation into those shocking scenes at Easter took its course, and in one case charges were laid against Marian McGlinchey. I took the decision to revoke her licence as she was charged under the Terrorism Act 2000. I spoke to the chief constable this morning. The police investigations continue, and I am confident that the PSNI will bring further charges when there is sufficient evidence.

Mr Nigel Dodds (Belfast North) (DUP): Will the Secretary of State accept—I am sure he will—that the outcome of the recent Assembly and council elections in Northern Ireland showed a clear endorsement of moving Northern Ireland forward and a clear rejection of those who would use violence, whose philosophy is to wreck Stormont and drag us backwards? Will he give a clear commitment to work closely with the security forces, the police and the new Minister of Justice in Northern Ireland to protect society and do whatever is necessary to protect all of us from dissident terrorist threats?

Mr Paterson: I wholeheartedly endorse the right hon. Gentleman's comments; there is absolutely no place for the pursuit of any political aim by physical violence in Northern Ireland. I congratulate all those who were elected to the Assembly and to the Executive. Obviously, on this particular issue, I congratulate David Ford, to whom I spoke this morning. I can assure the right hon. Gentleman that we will keep up the very closest co-operation with the Stormont Executive on this issue.

Mr Dodds: I welcome the Secretary of State's action on the revocation of the licence of Marian McGlinchey—or Marian Price, as she was known—as it sends out a clear signal to those who would threaten violence. Will the Secretary of State give us his assessment of the number of people he believes are involved in dissident terrorism? What is his assessment of the current level of police and other resources deployed to combat that threat?

Mr Paterson: I am not sure that the number of those involved is as important as their capability. The right hon. Gentleman knows as well as I do that these people are continuous in their efforts to attack not just the police, but completely innocent members of the general public who are going about their day-to-day business. Although these people are small in number, as we saw in the recent elections, they do have capability and we do not underestimate the threat. That is why we endorsed £50 million of spending last year, and we managed to negotiate an extraordinary settlement of a further £200 million over the next four years. We are absolutely determined to stand by Northern Ireland and do the right thing.

Mr Shaun Woodward (St Helens South and Whiston) (Lab): I join the Secretary of State and hon. Members in their tribute to David Cairns. He was a much respected Minister when Labour were in government and a much loved colleague and friend. Our deepest sympathy goes to his family and his partner, Dermot.

It would be remiss not also to take this opportunity to put on the record the fact that the Queen's extraordinary visit to Ireland at the moment is an enormous success. It is as healing as it is inspiring. The visit both symbolises the peace process and represents the next step in that process. The process is still necessary, as dissident republican groups pose new threats to the police and the public; just this Monday, a coded bomb warning brought huge disruption to central London. What is the Secretary of State's evaluation of the capability of this growing number of dissident terrorists, not only in Northern Ireland but here in Britain?

Mr Paterson: I entirely endorse the right hon. Gentleman's comments on the significance of Her Majesty the Queen's visit to the Republic of Ireland. It is a wonderful way to end the current President of Ireland's two terms and it is a wonderful, ringing endorsement of the normality between our two nations. Significantly, the right hon. Gentleman and I are not in Ireland this morning; we are here answering questions in Parliament. This is an endorsement of the tremendous progress that has been made and a sign of how we will move further forward. On the question of capability here, we do not like to get into operational matters but, as he knows, we do not underestimate the threat of these groups and we have done a significant amount in the past year to bear down on them.

Mr Woodward: The threat, none the less, has clearly heightened, not only in Northern Ireland, but here in Britain. We must all ensure that in Northern Ireland, as well as here in Britain, no part of government resides in just hoping for the best; realism is as vital a tool in containment as is prevention. As part of that realism, the British Government must continue to recognise their responsibility in addressing the sectarian legacy of the troubles. What is the Secretary of State's response to Co-operation Ireland's bid for £20 million from the British Government—not from the Assembly—to ensure that in Northern Ireland the big society is more than just aspiration?

Mr Paterson: Again, I thank the right hon. Gentleman for his question. We increased the threat level from moderate to substantial in Great Britain last year and we are doing what we think is necessary to work closely with the authorities not just in Northern Ireland but in the Republic and to bear down on this issue. The right hon. Gentleman is absolutely right that this is a policy of containment long term and we need to break the cycle. We are extremely interested in the projects run by Co-operation Ireland, such as that in Kilwilkie, but many of these projects are also run by the devolved Administration. As I mentioned in my reply to the right hon. Member for Delyn (Mr Hanson), we will discuss this work with the new devolved Ministers. I had a meeting with the chairman of Co-operation Ireland this week and I shall see him in Dublin later in the week.

Personal Protection Training

3. **Patrick Mercer** (Newark) (Con): Whether he has reviewed the personal protection training plan for Government workers and VIPs in Northern Ireland in the light of recent trends in terrorist activity; and if he will make a statement. [55381]

The Minister of State, Northern Ireland Office (Mr Hugo Swire): The Government regularly review the guidance issued to staff on personal security and make them aware of any changes in the terrorist threat. The Chief Constable is responsible for the operational provision of close protection, which can include Government workers and VIPs.

Patrick Mercer: I am grateful to my right hon. Friend for his reply. Can the Minister assure the House that, following the terribly sad death of Constable Kerr, specific training methods are being put in place to help protect VIPs, policemen and the like against the threat of under-car booby-traps?

Mr Swire: Yes, I can. My hon. Friend will know, as he did many tours in Northern Ireland, that the enemy to personal security is complacency. It is incumbent on all those employed by the state in one way or another to be vigilant at all times. The Chief Constable goes to bed thinking about the security of his policemen and women and he wakes up thinking about them, too, as do we in the Northern Ireland Office.

Mr Gregory Campbell (East Londonderry) (DUP): The Minister will be aware that a small number of civilians work in security establishments in Northern Ireland, particularly in areas with a high dissident terrorist threat. He should also be aware that I wrote to him some three months ago about one such person who was trying to get a personal protection weapon to ensure his safety as he went to and from his work. Will the Minister ensure that he gets in touch with the Chief Constable to ensure that person's safety, in so far as that can be guaranteed, in the light of this threat?

Mr Swire: I thank the hon. Gentleman for his question. We take applications for PPW licences extremely seriously and they are looked into in great detail and independently assessed. I am aware of the case to which the hon. Gentleman refers and we will get back to him once we have all the necessary details.

Bill of Rights

4. **Paul Murphy** (Torfaen) (Lab): What progress has been made on a Bill of Rights for Northern Ireland. [55382]

The Minister of State, Northern Ireland Office (Mr Hugo Swire): As the right hon. Gentleman is aware, progress on this issue has been difficult in the absence of any agreement within Northern Ireland on how best to proceed. We want to see the issue resolved and we will be taking the views of the new Executive, political parties and others in Northern Ireland on how best to move matters forward.

Paul Murphy: I am grateful for that answer. I want to pay my own tribute to the late David Cairns, who was a fine Minister and a fine man.

With a new Executive and new Assembly in Northern Ireland, and as this issue is a fundamental part of the Good Friday agreement and the political process over the years, will the Minister undertake to try to seek consensus among all the political parties in Northern Ireland as soon as he can?

Mr Swire: The Secretary of State and I have been very clear. We said we would return to this after the election of the new Assembly, which has now happened. The right hon. Gentleman might not be aware of the commission on a UK Bill of Rights, and the Lord Chancellor has written to the First Minister asking for two people from Northern Ireland to advise on the implications for Northern Ireland. The Executive need to initiate a parallel process to come to some consensus on what specific rights that recognise Northern Ireland's particular circumstances might look like.

Stephen Pound (Ealing North) (Lab): When members of the United States Congress asked the same question, perhaps not as elegantly as it was phrased by my right hon. Friend the Member for Torfaen (Paul Murphy), the Prime Minister replied in a letter that he stood "ready to facilitate agreement". Will the Minister tell me what steps he and the Secretary of State have taken in the past six months specifically to facilitate this agreement?

Mr Swire: We have talked to a number of people, not least the Northern Ireland Human Rights Commission, and we are currently advertising for replacements. The Secretary of State and I have been quite frank and have said that we want to return to the issue after the election and to move forward on it, which the hon. Gentleman's party, I point out gently to him, did not do for 12 years.

Union (Referendum)

5. **Gregg McClymont** (Cumbernauld, Kilsyth and Kirkintilloch East) (Lab): What his policy is on the treatment of any request by a Northern Ireland political party for a referendum on the future of Northern Ireland as part of the Union; and if he will make a statement. [55383]

The Minister of State, Northern Ireland Office (Mr Hugo Swire): No such request has been made to the Government. The policy and legal position on this issue is set out in the Belfast agreement and the subsequent legislation, the Northern Ireland Act 1998.

Gregg McClymont: I thank the Minister for his answer. He will be aware that Sinn Fein raised the issue of a referendum in the recent Assembly elections. May I push the Minister a little further and ask what mechanisms would be used to deal with any future request for a referendum?

Mr Swire: I do not want to dwell on the hon. Gentleman's domestic situation in Scotland—it is not the same in Northern Ireland. The Secretary of State has the right to hold a referendum at any point and he has a duty to hold one if it appears there is likely to be a majority for a united Ireland. It is quite clear in the Belfast agreement, but no such situation arises in Northern Ireland. Indeed, we very much hope that the new Executive will concentrate on bread-and-butter issues such as the economy rather than issues that seem to be of interest in Scotland.

Mark Durkan (Foyle) (SDLP): Does the Minister recognise that dissidents try to make the argument on the ground in nationalist areas that those of us who support the Good Friday agreement have gone derelict on Irish unity? Does he recognise therefore that he has to treat with validity those of us who make the case for framing progress towards unity? Will he confirm that in the event of a referendum the British Government would play no part in imposing or opposing any free choice that would be made by the Irish people?

Mr Swire: The hon. Gentleman's party's position is well known and I pay tribute here again to the way in which his party has embraced the ballot box and the democratic process. In a referendum, that would be for the people of Northern Ireland to decide. I can do no better than support the words of my right hon. Friend the Prime Minister—it is probably a career-advancing thing to do—who, in a speech in May 2010, stated clearly and unequivocally:

> "I will never be neutral on our Union. We passionately believe that England, Northern Ireland, Scotland and Wales are stronger together, weaker apart".

I believe that, as Aristotle said, the whole is greater than the sum of its parts.

Terrorism (Powers of Detention)

6. **Paul Goggins** (Wythenshawe and Sale East) (Lab): What recent discussions he has had with the Secretary of State for the Home Department on powers to detain terrorist suspects. [55384]

The Minister of State, Northern Ireland Office (Mr Hugo Swire): My right hon. Friend the Secretary of State and I are in regular contact with my right hon. Friend the Home Secretary regarding this issue. The Government are absolutely clear that reducing the maximum pre-charge detention period to 14 days will strike the right balance between civil liberties and the need to protect the public from the terrorist threat.

Paul Goggins: I thank the Minister for his reply. David Cairns was a fine colleague and I join all those who have paid tribute to him this morning.

The recent detention of three terrorist suspects in Northern Ireland for periods of 13 and 14 days indicates that the Government are right to bring in arrangements to extend the maximum period of detention beyond 14 days in exceptional circumstances. Given the likely pressures of those circumstances, does the Minister agree that the mechanism for implementing those arrangements needs to be both swift and straightforward?

Mr Swire: The Minister does very much agree with what the right hon. Gentleman has just said in his usual responsible manner. The right hon. Gentleman is on the Joint Committee that is scrutinising the draft emergency legislation. I agree with everything he has said and I urge him to make his point very forcefully. The principle is right and we must make certain that, if necessary, we can enforce that principle swiftly whether Parliament is sitting or not.

Ian Paisley (North Antrim) (DUP): I welcome the decision by the Secretary of State to revoke the licence of Marian Price. Is he as concerned as I am that the courts would have granted bail to the Old Bailey bomber on charges of support for an illegal organisation? What sort of message do our courts send out if they seem to take a softly, softly approach to confronting dissident republican terrorists?

Mr Swire: The hon. Gentleman will be aware that justice is a devolved matter. I believe that my right hon. Friend acted extremely swiftly and that he was right to do what he did. The legal process will take its usual course.

Economy

7. **Alun Cairns** (Vale of Glamorgan) (Con): What recent assessment he has made of the state of the Northern Ireland economy. [55385]

The Secretary of State for Northern Ireland (Mr Owen Paterson): Like many in Northern Ireland, I believe that we need to rebalance the Northern Ireland economy and boost private sector growth and investment. The Government will work closely with the Northern Ireland Executive to help make Northern Ireland a beacon for foreign investment and growth.

Alun Cairns: Enterprise zones in England are an exciting opportunity to grow the private sector, and I hope they will be delivered in my constituency by the Welsh Assembly Government. Will the Secretary of State update the House on what progress is being made in Northern Ireland to deliver such an innovative opportunity?

Mr Paterson: I am grateful to my hon. Friend for the question. I have been travelling to Northern Ireland for nearly four years and wanting to turn the whole of Northern Ireland into an enterprise zone, making it an attractive place for investment and building on all the advantages that it now has. On my hon. Friend's specific question, enterprise zones as described in the Budget are now in devolved hands and I hope the devolved Ministers grasp the opportunity with both hands. *[Interruption.]*

Mr Speaker: Order. There are far too many noisy private conversations taking place in the Chamber. The House must hear Mr Sammy Wilson.

Sammy Wilson (East Antrim) (DUP): Recently the Irish Republic abolished air passenger duty, which has put at risk cross-Atlantic flights from Northern Ireland and had an impact on the tourist and investment strategy of the Executive. Ironically, that was done as a result of loans facilitated by the UK Government. Will the Secretary of State ensure that in the renegotiation of those loans or any further loans, conditions are attached that stop the Irish Republic gaining such competitive advantage?

Mr Paterson: I congratulate the hon. Gentleman on his re-election, and re-election to his Ministry. He is right that maintaining good, cheap and quick transport links between Northern Ireland and the rest of the world is vital. I have discussed APD with Treasury colleagues. A consultation is going on and I would like to meet the hon. Gentleman to discuss how we work together on the matter. In meetings with the Government in Dublin, I will also raise the issue.

West Lothian Question

8. **Harriett Baldwin** (West Worcestershire) (Con): What discussions he has had with ministerial colleagues on the establishment of a commission to examine the West Lothian question. [55386]

The Minister of State, Northern Ireland Office (Mr Hugo Swire): I discussed the matter recently with the Minister with responsibility for political and constitutional reform, the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Forest of Dean (Mr Harper). The Government will establish a commission this year to consider the West Lothian question.

Harriett Baldwin: Does the Minister agree that, given the complexity of the West Lothian question, no time should be lost in establishing the commission?

Mr Swire: The programme for government promised to establish it in this Parliament, so the answer is yes.

Security Threat

9. **Mr Wayne David** (Caerphilly) (Lab): What assessment he has made of the security threat from dissident republicans; and if he will make a statement. [55387]

The Secretary of State for Northern Ireland (Mr Owen Paterson): The threat level in Northern Ireland remains at severe. Despite the overwhelming community rejection of their murderous strategy following the despicable murder of Ronan Kerr last month, the terrorist groups continue to pose an indiscriminate threat to the lives of police officers and the general public, who just want to go about their lives without fear, disruption or intimidation.

Mr David: I welcome the Secretary of State's comments, but may I have a reassurance that everything possible is being done to make sure that those people are apprehended as quickly as possible?

Mr Paterson: I can reassure the hon. Gentleman that we take the threat extremely seriously. We do not underestimate it. As I said earlier, we endorsed an extra £50 million package last year for the PSNI and we have negotiated an exceptional four-year plan of £200 million over the coming years. I know that Matt Baggott, the Chief Constable, to whom I spoke this morning, is already putting those funds to very good use. We are determined to bear down on that small number of wholly unrepresentative, dangerous people.

Legacy Issues

10. **Ian Murray** (Edinburgh South) (Lab): Whether he plans to provide further direct funding for projects to deal with legacy issues in Northern Ireland. [55388]

The Secretary of State for Northern Ireland (Mr Owen Paterson): This Government funded the four public inquiries into legacy cases, which were set up under the previous Government, so that they could be completed as soon as possible. I am currently considering what, if any, further role the Government can play in dealing with the past in Northern Ireland.

Ian Murray: A successful and prosperous future for Northern Ireland requires the Government to deal responsibly with all outstanding issues related to the peace process. Does the Secretary of State intend to honour all those outstanding issues?

Mr Paterson: Yes, I understand the tone of the hon. Gentleman's question. We endorse the agreements. We made that clear, as our record over the past year shows, but we also recognise that the past continues to be an issue. That is why I am continuing to talk to a wide range of groups, as is my right hon. Friend the Prime Minister, to see whether we can find a way forward on which we can work with the Executive.

Naomi Long (Belfast East) (Alliance): Does the Secretary of State agree that a coherent and comprehensive strategy to deal with legacy issues is vital if we are to build a stable future for the people of Northern Ireland?

Mr Paterson: I could not quite hear the hon. Lady's question, but I think I got the gist of it. As she knows, it is not easy to achieve consensus on this issue, which is why we are carrying on this listening exercise and talking with a wide range of groups, and I am very happy to talk and listen to her.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [55953] **Mr Philip Hollobone** (Kettering) (Con): If he will list his official engagements for Wednesday 18 May.

The Prime Minister (Mr David Cameron): I am sure that the whole House will want to join me in paying tribute to Marine Nigel Mead from 42 Commando Royal Marines, who was killed by an improvised explosive device in Afghanistan on Sunday. He was a selfless, enthusiastic and committed Marine who has made the ultimate sacrifice in the service of our country. Our thoughts must be with his family, his friends and his colleagues.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, this afternoon I will be travelling to Dublin as part of this week's historic state visit by Her Majesty the Queen.

Mr Hollobone: May I associate myself and my constituents with the Prime Minister's words of condolence?

Under rules introduced in 2003, illegal migrants who manage to avoid the authorities for 14 years can apply for permanent stay, have full access to the welfare system and even obtain a British passport. Given that in the past eight years nearly 10,000 such migrants have won such rights, and with an estimated half a million illegal immigrants in Britain today, will the Prime Minister seek to change those rules and restore some sanity to Britain's border controls?

The Prime Minister: My hon. Friend makes an important point. We have pledged to break the link between temporary migration and permanent settlement in the UK because we believe that settling in Britain should be a privilege, rather than an automatic right for those who have evaded the authorities for a certain amount of time. We are going to consult on further measures, including the future of the 14-year rule he mentioned, and make announcements later this year. We have already announced that there will be tighter rules for those wanting to settle here, and have already implemented a new income and English language requirement for skilled workers who have been here for more than five years.

Edward Miliband (Doncaster North) (Lab): May I start by joining the Prime Minister in paying tribute to Marine Nigel Mead from 42 Commando Royal Marines? He showed exceptional bravery and courage, like all our troops in Afghanistan, and our thoughts are with his family and friends.

The role of the Justice Secretary is to speak for the nation on matters of justice and crime. This morning he was on the radio suggesting that there were "serious" rapes and other categories of rapes. Would the Prime Minister like to take this opportunity to distance himself from the Justice Secretary's comments?

The Prime Minister: First of all, let me say that rape is one of the most serious crimes there is, and it should be met with proper punishment. Anyone who has ever met a rape victim and talked with them about what that experience means to them and how it stays with them for the rest of their life could only want it to have the most serious punishment possible. The real disgrace in our country is that only 6% of rapes reported to a police station end in a conviction. That is what we have to sort out. I have not heard the Justice Secretary's interview, but the position of the Government is very clear: there is an offence called rape and anyone who commits it should be prosecuted, convicted and punished very severely.

Edward Miliband: Let me tell the Prime Minister what the Justice Secretary said this morning. He was asked about the average sentence a rapist gets. The interviewer said, "A rapist gets five years," and then the Justice Secretary said in reply, "That includes date rape, 17-year-olds having intercourse with 15-year-olds". He went on to say that there were categories of "forcible rape" and "serious rape". The Justice Secretary cannot speak for the women of this country when he makes comments like that.

The Prime Minister: As I said, I have not heard the interview, but the point is this: it should be a matter for the court to decide the seriousness of the offence and the sentence that ought to be passed. I served on the Sexual Offences Bill under the last Government, and we looked at all the issues about whether we should try to differentiate between different categories of rape—and I seem to remember that one of the right hon. Gentlemen now sitting on the Opposition Front Bench was leading the debate for the Government. We decided, as a House of Commons, not to make that distinction. What matters is this: do we get more cases to court, do we get more cases convicted, and do we get more cases sent down for decent sentences? That is the concern we should have.

Edward Miliband: When the Prime Minister leaves the Chamber, he should go and look at the comments of the Justice Secretary—and let me just say to him very clearly: the Justice Secretary should not be in his post at the end of today. That is the first thing the Prime Minister should do. The second thing he should do is to drop this policy, because this policy, which they are defending, is the idea that if you plead guilty to rape you get your sentence halved. That could mean that rapists spend as little as 15 months in prison. That is not an acceptable policy, and the Prime Minister should drop it.

The Prime Minister: I think that what the Leader of the Opposition might be doing is jumping to conclusions on this issue. The point is this: there is already a plea bargaining system in Britain, for one third, and we are consulting on whether to extend the system to make it even more powerful. We have not yet decided which offences it should apply to, or how it should be brought in, because there is a consultation, but the aim of plea bargaining—it is worth remembering this, because plea bargaining is used in very tough criminal justice systems, such as America's—is to ensure that more people get prosecuted, more people get convicted, and it actually saves the victim from having to go through a court process and find out at the end that the culprit is going to submit a guilty plea at the last minute. That is what the Government are looking at, and when we have listened to the consultation we will announce our conclusions—but he needs to be patient until we do that.

Edward Miliband: We are getting used to this. As we saw on health, when there is a terrible policy the Prime Minister just hides behind the consultation. Frankly, it is just not good enough. Let me tell him what people think of this policy. The judges are saying the policy is wrong, End Violence Against Women is saying that it is the wrong policy, and his own Victims Commissioner says that the policy is "bonkers". I know that he is in the middle of a consultation, but I would like to hear his view on this policy, which he should drop.

The Prime Minister: The terrible fact that the right hon. Gentleman refers to is that only 6% of rape cases are prosecuted and end in a conviction. That is after 13 years of the Labour party running the criminal justice system, so that is the improvement we want to see. He wants to know my view: my view is get out there, convict, prosecute and send these people down for a decent period of time. That is what we should be doing. Rape is such a serious offence, so he should wait for the outcome of the consultation, rather than just jumping on the bandwagon.

Edward Miliband: This is about the way the Prime Minister runs his Government, because yesterday the Justice Secretary said that this

> "proposal is likely to survive"—[*Official Report*, 17 May 2011; Vol. 528, c. 150]

the consultation, and the prisons Minister was defending the policy. People are rightly angry about this policy; they think that it is the wrong policy. All I am asking is something very simple: why does not the Prime Minister give us his view?

The Prime Minister: I have given you my view, and I will give you my—*[Interruption.]* I have. I want to see more people prosecuted and convicted for rape, and we are going to take steps to make sure that happens. But I will give you my view on something else—[HON. MEMBERS: "Oh!"] Yes, which is this: I think there is merit in having a plea bargaining system, which we have already—and which should be discretionary, to try to make sure that we convict more. What we had under the previous Government was a mandatory release of all prisoners, irrespective of what they had done. [HON. MEMBERS: "Ah!"] Yes, the right hon. Gentleman sat in the Cabinet that let 80,000 criminals out of prison. That was not a discretionary policy; it was a mandatory policy—and it was a disgraceful policy.

Edward Miliband: Does the Prime Minister not realise what people are thinking of him on crime? Before the election he made a whole series of promises, and now he is breaking them one by one. He was out of touch on anonymity for rape victims, and now he is out of touch on sentencing for rape. He is cutting the number of police officers—cutting 12,000 police officers. Why does he not go back to the drawing board on crime, and get rid of his Justice Secretary?

The Prime Minister: Talking of broken promises, I remember the Leader of the Opposition saying at his party conference, about Ken Clarke:

> "I'm not going to say he's soft on crime."

Well, that pledge did not last very long. One of these days the Labour party is going to realise that opposition is about more than just jumping on a bandwagon and picking up an issue; it is about putting forward a serious alternative and making some serious points. *[Interruption.]*

Mr Speaker: Order. I call Sir Alan Haselhurst.

Sir Alan Haselhurst (Saffron Walden) (Con): This question is by way of contrast, Mr Speaker. In harmony with the priority being given by the Government to strengthening relations with the Commonwealth, does my right hon. Friend attach importance to the particular role of the Commonwealth Parliamentary Association, and will he do his best to find a way of marking that when the centennial conference of the CPA takes place in London in July?

The Prime Minister: I am very grateful to my right hon. Friend for raising this issue. The Commonwealth Parliamentary Association is an important part of the Commonwealth. For the celebration of that anniversary I have had an extremely attractive invitation to go along and say a few words, and I will certainly see whether I can.

Q2. [55954] **Tom Blenkinsop** (Middlesbrough South and East Cleveland) (Lab): Why is the Prime Minister giving private and confidential NHS prescription records of 9 million British citizens to multinational private companies that will no doubt show no mercy with that information?

The Prime Minister: What we are trying to do is clean up the mess of Labour's NHS IT programme, which cost billions of pounds and is still struggling. We are desperately trying to get it under control and make sure we can save money to put into health care.

Q3. [55955] **Simon Kirby** (Brighton, Kemptown) (Con): Will the Prime Minister join me in sending a message of support to Tony Blair's former speechwriter, Peter Hyman, who is seeking to set up one of the coalition's excellent new free schools in east London? *[Interruption.]*

The Prime Minister: It is funny that Labour Members do not want to listen to Tony Blair's speechwriter, as they listened with such rapt attention for so many years to what he said. I welcome the free schools policy, and I very much welcome what Peter Hyman is doing in trying to establish a free school. I think this is an excellent policy. Yesterday we had a new policy from Labour when the shadow Education Secretary said that just because he is opposed to the free schools policy, that does not mean he is opposed to every free school. We are back to the days of John Prescott, being told that we cannot have new good schools because everyone might want to go to them. We are back to old Labour.

Mr Nigel Dodds (Belfast North) (DUP): Does not the visit of Her Majesty the Queen to the Irish Republic this week demonstrate not just her own personal courage in carrying out such a visit in the face of severe dissident terrorist threats, but also, whatever reservations some of us may have about one particular aspect of her visit, the extent of the improvement in relations between the Irish Republic and the United Kingdom, of which Northern Ireland is a proud part, as well as a recognition of Northern Ireland's status? Is it not also an opportunity to build on co-operation to fight the dissident terrorists who still plague us in Northern Ireland and in the Republic?

The Prime Minister: The right hon. Gentleman is right in every respect. This is a remarkable visit that demonstrates that the relationship between Britain and the Republic of Ireland is strong, and has probably never been stronger, with the successful devolution of policing and justice that made the visit possible. The scenes on our television screens last night of the visits that Her Majesty made to heal the wounds of the past, but also to look to a very bright future between our two countries, are remarkable and hugely welcome.

Q4. [55956] **Sir Alan Beith** (Berwick-upon-Tweed) (LD): Since it is the people of this country who have paid the enormous bills for bank failures, should not they get some reward for their sacrifice by being given shares when the banks are eventually denationalised? Will the Prime Minister look at the imaginative scheme put forward by my hon. Friend the Member for Bristol West (Stephen Williams), which is now backed by *The Sun* newspaper, to do that?

The Prime Minister: I will certainly look at all the possible ways of putting the nationalised banks back into the private sector. I personally strongly support the idea of widening share ownership, so we will look carefully at the scheme that the right hon. Gentleman suggests. We also have to make sure that we secure value for money for the taxpayer as we try to fill in the great deep pit of debt that we were left by Labour.

Rachel Reeves (Leeds West) (Lab): Today hundreds of women in their 50s, supported by Age UK, have come to Parliament to protest against unfair changes to their pensions. The coalition agreement says that there will be no increase in women's state pension age before 2020, yet under the Pensions Bill that increase will start in 2018. Why the U-turn?

The Prime Minister: Yet again, here is another reform important for making sure that our pensions system is affordable and sustainable that Labour has completely given up on. What we are doing with pensions is linking them back to earnings—something that was promised repeatedly but never done—and making sure that our pensions system is sustainable for the long term. That is what we are delivering—something never done by Labour.

Q5. [55957] **Mr James Gray** (North Wiltshire) (Con): The people of England have almost as much to lose from any move towards Scottish independence and the break-up of the Union as the people of Scotland. Will the Prime Minister therefore give us all a vote in a referendum on the subject?

The Prime Minister: I have made my views clear: if the Scottish Parliament wanted to hold a referendum, although I think that that would be a retrograde step, we would have to grant it. I would then join with everyone in this House and beyond who supports our United Kingdom to ensure that we keep it together. That is the process that we should go through, and it would involve a vote for people in Scotland, not for those in the rest of the United Kingdom.

Q6. [55958] **Michael Connarty** (Linlithgow and East Falkirk) (Lab): I am a very generous person, so I compliment the Government on eventually deciding to sign up to the EU human trafficking directive. A recent report by the Children's Commissioner for Scotland said that he could identify 200 children trafficked into Scotland, and ECPAT UK has stated that 1,000 children have been trafficked into the rest of the UK. Both bodies recommend that the Government appoint an independent human trafficking rapporteur and strengthen the guardianship system for children. Given that the Government have cut specialist teams in the Home Office and the police in this area, how can they assure the House that the UK is prepared for the responsibility that comes with signing up to the EU directive?

The Prime Minister: I will look carefully at what the hon. Gentleman says, because I know that he has a deep concern about trafficking, as do many Members of our House. Frankly, the fact that children and young adults are trafficked for sex and other purposes in our world is completely disgraceful, and we have to stamp it out. We have signed up to the directive, as he said, and we were already complying with the terms of the directive. We must do everything we can to stamp out this repulsive practice.

Nuclear Deterrent

Q7. [55959] **Dr Julian Lewis** (New Forest East) (Con): What recent discussions he has had with the Leader of the Opposition on the future of the nuclear deterrent.

The Prime Minister: Although I have discussions on many issues with the Leader of the Opposition, the nuclear deterrent has not recently been one of them. That is partly because the Government's policy is absolutely clear: we are committed to retaining an independent nuclear deterrent based on Trident. My right hon. Friend the Defence Secretary will make a statement to Parliament today announcing our decision to proceed with initial gate.

Dr Lewis: I am grateful to the Prime Minister for repeating our commitment to the future of Trident, its renewal and a continuous at-sea deterrent. Would he give his blessing to hon. Members in the Conservative party and on the Labour Benches who, like him, think that the nuclear deterrent should be above party politics, if they formed an alliance on this important issue, just as we did so successfully on the alternative vote?

The Prime Minister: I agree with my hon. Friend that it would be better if we could elevate this issue above party politics. Indeed, when we voted to go ahead with Trident it was on the basis of a Labour motion that was supported by most Labour MPs and almost all Conservative MPs. However, I have a feeling that my hon. Friend would never be satisfied, even if I placed a Trident submarine in the Solent, opposite his constituency, and handed him the codes—something, I am afraid, that I am simply not prepared to do.

Paul Flynn (Newport West) (Lab): Why continue to waste billions on a national virility symbol that has played no part in any of the military operations that we have taken part in over the last seven years, and is unlikely to play any part in the future? Does it not give justification and encouragement to other countries in acquiring their own nuclear weapons?

The Prime Minister: I do not accept either part of the hon. Gentleman's argument. First, we are signatories to the non-proliferation agreement and are strong supporters of it. Secondly, the point of our nuclear deterrent is just that—deterrence. It is the ultimate insurance policy against blackmail or attack by other countries. That is why I believe it is right to maintain and replace it.

Engagements

Q8. [55960] **Mr James Clappison** (Hertsmere) (Con): Does my right hon. Friend agree that there is no case for giving the EU powers over taxation, least of all in the present circumstances? Will he assure me that the Government will simply say no to the proposed EU directive for a common corporate tax base?

The Prime Minister: I can certainly reassure my hon. Friend. Those in the EU who want to see further tax harmonisation usually make one of two arguments: either they want to raise more money for the EU, which I do not agree with, or they are trying to reduce tax competition within the EU, which I also do not agree with. It is important that we keep our competitive tax rates and do not give the EU further coverage over our tax base.

Q9. [55961] **John Robertson** (Glasgow North West) (Lab): The ministerial code is extensive in its guidelines and rules governing Ministers. What is the policy of the Prime Minister and his Government on Ministers who break the ministerial code?

The Prime Minister: Obviously, breaking the ministerial code is an extremely serious offence. I know that the hon. Gentleman has asked questions before about the Minister of State, Department for Work and Pensions, my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), and let me be clear that the Employment Minister played no part in the decision-making process to award Work programme contracts. I want to make that point clear to the hon. Gentleman, as he has asked me the question.

Q10. [55962] **Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): May I echo the tribute that my right hon. Friend paid to Nigel Mead, the young Royal Marine who was serving with 3 Commando Brigade, which is based in my constituency?

Given the recent inflation figures and the loose monetary conditions that contributed to the causes of the credit crunch, should my right hon. Friend now lead a fundamental debate reviewing the inflation target, and the operation and workings of the Monetary Policy Committee?

The Prime Minister: The point that I would make to my hon. Friend is that one of the fundamental causes of the problems during the credit crunch was the poor regulation of our banking system and credit. We have taken steps to put that right by putting the Bank of England back at the pinnacle of that system, after the failure of the system put in place by the Labour party. On inflation, I strongly support monetary policy being independent and established by the Bank of England. I do not want to go back to the bad old days of the Treasury setting interest rates. I think it is better to have that power vested in the Monetary Policy Committee of the Bank of England.

Q11. [55963] **Jessica Morden** (Newport East) (Lab): A number of my constituents with very serious health conditions are being declared fit for work under the Department for Work and Pensions work capability assessment. Can the Prime Minister give me a guarantee that the assessment will be fit for purpose by the time of the big move from incapacity benefit to employment and support allowance, especially in the light of cuts at the DWP?

The Prime Minister: Of course we want to get the tests right, but I believe that the tests are showing that it has been wrong to leave so many people on benefits for so long without proper assessment. Of course, we can always improve the processes, and we will ensure that we do that as we go along, but I think it is absolutely right to go through people on all benefits and ask whether they can work, and what help they need to work. Then if they are offered work that they do not take, frankly, they should not go on getting benefits.

Sir Peter Tapsell (Louth and Horncastle) (Con): Now that there is to be a full investigation into the abduction or murder of Madeleine McCann, is there not a much stronger case for a full investigation into the suicide or murder of Dr David Kelly?

The Prime Minister: My hon. Friend is raising two issues. First, on the issue of Madeleine McCann, it is welcome that the Metropolitan police have decided to review the case and the paperwork. On the issue of Dr David Kelly, I thought the results of the inquest that was carried out and the report into it were fairly clear, and I do not think it is necessary to take that case forward.

Q12. [55964] **Mr Dennis Skinner** (Bolsover) (Lab): Is the Prime Minister aware that the most revealing statistic in recent days has been the fact that in recession-hit Britain, the billionaires have gone up by 20—an increase of 37%—in the first year of this Tory rule, while in the real world inflation is going through the roof and thousands of blind people are having to march through the streets of London to hang on to their disability living allowance? What a savage indictment of this lousy, rotten Tory Government, propped up by these pathetic Liberals—*[Interruption.]*

The Prime Minister: I can see that the hon. Gentleman enjoyed that—*[Interruption.]*

Mr Speaker: Order. I want to hear the Prime Minister's reply.

The Prime Minister: I think that the most revealing statistics today are the unemployment figures, which show that employment in our country is up by 118,000, that unemployment is down by 36,000, and that youth unemployment fell by 30,000. Those are the statistics of what is happening in the real world, rather than in the dinosaur land that the hon. Member for Bolsover (Mr Skinner) still inhabits.

Q13. [55965] **Anna Soubry** (Broxtowe) (Con): Hard-working families in Broxtowe want a cap on benefits, but the Labour party will vote against such a cap. Would the Prime Minister help us in this way: who is living in the real world and who is representing real families—us or them?

The Prime Minister: My hon. Friend is entirely right. We are proposing a cap of £26,000 on the benefits that a family can receive. People would have to earn something like £40,000 to get that level of income. Frankly, some people will be watching this and thinking, "I'm earning £15,000"—or £16,000, or £17,000—"Why am I paying my taxes to go to families that are getting more than £26,000 in benefits?" To answer my hon. Friend's question, the Government are in touch with what people want, and the Labour party seems to have gone to sleep.

Julie Elliott (Sunderland Central) (Lab): What can the Prime Minister say to the people of Sunderland, the largest city in the north-east, and to my constituents, about the news that the Olympic torch is not stopping in the city?

The Prime Minister: I have to say that I was not aware of that. Perhaps I can look into the route that the Olympic torch will take—and if it is possible to divert it via Sunderland, I will certainly do my best.

Q14. [55966] **Margot James** (Stourbridge) (Con): An increasing number of European Court of Human Rights and European Court of Justice judgments are deeply unpopular in our country, and intrude on what should be the preserve of member states. Will the

Prime Minister assure my constituents that he will use every ounce of his considerable personal authority to support efforts to push back those overbearing institutions?

The Prime Minister: I agree with my hon. Friend. We are leading the process of trying to reform the ECHR so that it pays more attention to the decisions of national Parliaments and, crucially, national courts. As for the ECJ, one thing that we must do is stop the transfer of further powers from Westminster to Brussels. That is why we are putting in place the referendum lock.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Prime Minister think that the power and influence of this House of Commons will be diminished or increased by the reforms to the House of Lords that were announced yesterday?

The Prime Minister: I think that Parliament as a whole will be increased in terms of authority and respect. It is right to insert into the House of Lords some elected peers, so that we recognise that in the modern world, it is right to have two Chambers that are predominantly elected. That is the policy of the Government. It is clear to me that there are massive divisions on both sides of the House about that policy. However, this is an opportunity for the House of Commons to try to find a path through those, which we must do to achieve what was in every manifesto: elections to the House of Lords.

Q15. [55967] **Alok Sharma** (Reading West) (Con): An independent investigation is due to report on allegations that Reading borough council, when last under Labour control, diverted section 106 moneys to plug gaps in the general budget, and also to fund unrelated projects. Can the Prime Minister offer any advice on how residents can make use of the Localism Bill to ensure that section 106 money is spent correctly?

The Prime Minister: I would make two points to my hon. Friend. First, the Localism Bill gives local people a greater ability to influence what happens to section 106 money. Secondly, because of the new homes bonus, councils that go ahead with building homes will get more money, so they need not feel that they must go for one huge development in order to draw in the section 106 money. It could be that a different pattern of development—one more in tune with what local people want—would deliver some of the benefits that local people want to see.

Mrs Jenny Chapman (Darlington) (Lab): May I return the Prime Minister to his earlier remarks on rape? We all support moves to make the justice system easier for women, but many people out there—victims and non-victims alike—find his proposals to reduce sentences by up to 50% abhorrent and frightening. The only responsible thing for him to do is to take that out of any consultation now.

The Prime Minister: The point is that what the hon. Lady says is not what we are proposing—[HON. MEMBERS: "Yes it is!"] Let me make this point as well: because this Government take the crime of rape so seriously, we have boosted the funding for rape crisis centres. The real need—frankly, the whole House should unite on this—is to change the fact that 94% of rapists are walking the streets free because they have not been convicted. That is what we have got to change.

Mr Aidan Burley (Cannock Chase) (Con): There are currently 2,500 trade union representatives across the public sector paid not to provide the service that they represent but to carry out campaigning activities that should be funded by the unions—and because the unions do not pay their salaries, they can spend their subs on other things, such as subsidising that lot over there. Does the Prime Minister not think it time that that was reformed?

The Prime Minister: My hon. Friend raises an important point. [HON. MEMBERS: "No he doesn't!"] It is interesting that whenever someone raises a point about union funding they get shouted down by the Labour party, because Labour Members do not want any examination of what trade unions do, or how much money they give to the Labour party. *[Interruption.]* I think that they protest a little too much.

Ian Lavery (Wansbeck) (Lab): I am absolutely delighted to be supported by the trade union movement. May I ask the Prime Minister why he has not sacked his NHS adviser, Mark Britnell, who said that the NHS would be shown "no mercy", and that the reforms would be a "big opportunity" for private profit and would transform the NHS into an

"insurance provider, not a state deliverer"?

The Prime Minister: I am very grateful to the hon. Gentleman for allowing me to clear this up. When I read about Mr Britnell being my adviser, I was slightly puzzled, because I have never heard of this person in my life, and he is not my adviser. However, I did a little research, and it turned out that he was an adviser to the previous Government. [HON. MEMBERS: "More!"] Oh, don't worry, there is plenty more. He helped to develop Labour's NHS plan in 2000, which increased the role of the private sector, he was appointed by Labour as chief executive of one of the 10 strategic health authorities set up by Labour, and when the Leader of the Opposition was in the Cabinet, Mark Britnell was director general for NHS commissioning. Although I do not know him, therefore, I suspect that Labour Members know him rather well.

Hon. Members: More!

Mr Andrew Tyrie (Chichester) (Con) *rose—[Interruption.]*

Mr Speaker: Order. I cannot understand why the House does not wish to hear Mr Andrew Tyrie.

Mr Tyrie: I was rather impressed by that last answer, but I will draw the Prime Minister on to something else. Yesterday the Government announced plans to reform the second Chamber. Can he tell the House whether he will use all means necessary, including the Parliament Acts, to protect the coalition's legislative programme?

The Prime Minister: The short answer is yes. This is Government legislation, like any other piece of Government legislation, and will be scrutinised, carried through, debated and discussed, and then passed in the same way.

Nuclear Industry Safety

12.33 pm

Paul Flynn (Newport West) (Lab) *(Urgent Question):* To ask the Secretary of State for Energy and Climate Change if he will make a statement on the implications of the Weightman report. *[Interruption.]*

Mr Speaker: The Energy and Climate Change Secretary will answer the urgent question on behalf of the Government. I appeal to right hon. and hon. Members leaving the Chamber to do so quickly and quietly, affording the Secretary of State the courtesy of a decent hearing.

The Secretary of State for Energy and Climate Change (Chris Huhne): Earlier today I laid before the House the chief nuclear inspector's interim report on the events at Japan's Fukushima Dai-ichi nuclear site in March. Dr Weightman's final report is due in September. Safety is, and will continue to be, our No. 1 priority, and I believe that it is vital that the regulators and industry continue to adhere to the principle of continuous improvement for all existing and future nuclear sites and facilities. Dr Weightman has drawn a number of conclusions. He states:

> "The direct causes of the nuclear accident, a magnitude 9 earthquake and the associated 14 metre high tsunami, are far beyond the most extreme…events that the UK would be expected to experience."

In that respect, he concludes that there is

> "no reason for curtailing the operation of nuclear power plants or other nuclear facilities in the UK."

Nevertheless, Dr Weightman notes:

> "severe events can occur from other causes and learning from events is fundamental to…the robustness of"

our nuclear safety arrangements. I can therefore confirm that once further work on the recommendations is completed, any proposed improvements to safety arrangements will be considered and implemented in line with our normal regulatory approach to nuclear safety.

The interim report also identifies various matters that should be reviewed to improve the safety of the UK nuclear industry. I consider it an absolute priority that the regulators, industry and Government should act responsibly to learn from the 26 recommendations in today's report and respond to them within one month. My officials will review the interim report carefully, but from my discussions with Dr Weightman, I see no reason why we should not proceed with our current policy—that nuclear can be part of the future energy mix, as it is today—providing that there is no public subsidy. The interim report does not identify any implications for the strategic siting or assessment of new reactors, and I do not believe that the final report will either. Subject to careful consideration of the detail of Dr Weightman's interim report, I intend to bring forward the energy national policy statement for ratification as soon as possible. I strongly welcome Dr Weightman's interim report. I encourage the regulators to work closely with industry and other partners to take the recommendations forward, and I look forward to receiving the final report in the autumn.

Paul Flynn: The nightmare of Fukushima continues and intensifies. In the past seven days, the no-go area has been extended from 20 km to 30 km, and the residents of the towns of Kawamata and Iitate have been expelled from their homes. There is now proof that the greatly feared meltdown has taken place, and it is out of control. This is all in the past seven days. It is not possible in just eight weeks to make any assessment of the extent of this terrifying event, but that is what the Government have tried to do. This is not about science; this is about spin and PR. The whole reason for putting out the report so prematurely is to shore up collapsing public opinion and investor opinion.

Of course Britain is not Japan, as the report says, but there have been tsunamis here too. There was one that affected my constituency, destroying all human and animal life, and that was on the Severn estuary, where several nuclear power stations are placed. Our threat comes from two possibilities: a terrorist attack, and especially an attack by air, or a unique climatic event. Sadly, unique climatic events are happening regularly throughout the world and are more likely to happen in future because of the climate change that is afore us. The residents of Three Mile Island, Chernobyl and Fukushima were all assured of the absolute safety of the installations. What Weightman does is give false reassurances for commercial reasons, to suit the Government's programme. This report has been produced in haste. We may regret at leisure shoring up this unnecessary, subsidised form of energy creation, which the public, because of their well-founded fears, might in future prevent from being built. It is right that we should look again at the lessons of Fukushima. We do not know what they are at the moment. We should pause and look to developing the safe renewables that are inexhaustible, British and sustainable.

Chris Huhne: I respect the hon. Gentleman's long-standing opposition to nuclear power and his concern, interest and expertise in these issues, but I think he has gone too far in impugning the integrity of the chief nuclear inspector. I am not a scientist, but I have had a number of meetings with Dr Weightman, and I am absolutely convinced that he is an entirely independent, well-respected professional. Indeed, he is so well respected that after I asked him to conduct the inquiry and make his recommendations, he was subsequently approached by the International Atomic Energy Agency to lead the international inquiry into Fukushima. It beggars belief not to recognise his standing in the international community and his independence. This is a fact-based and evidence-based report. My concern has always been to base our policy on the facts and the evidence, and I think that the report does that.

The hon. Gentleman raised two specific points. He will find that I entirely agree with him on extreme weather events. It is absolutely essential that all our critical energy infrastructure needs to be proof against such events, not just the nuclear facilities. On page 97 of the report, he will find a useful table that summarises the extent to which our existing nuclear power stations are prepared against seismic hazards and flood heights. The hon. Gentleman's description of our vulnerability on this front simply does not accord with the facts as set out in Dr Weightman's report. First and foremost, we do not have the same reactor design. Secondly, we are not subject to earthquakes of anything like the same magnitude. The earthquake that so unfortunately hit Japan was 65,000 times stronger than the largest earthquake ever recorded in British territorial areas, which was centred on Dogger Bank in 1931. The situation is therefore entirely different. The hon. Gentleman will also see a discussion in the report about the vulnerability to tsunamis, and about whether the flood defence heights set out for each of the power stations on page 97 are adequate, and the conclusions stand.

I entirely take the hon. Gentleman's point about the importance of security against terrorist attack. This Government have been very careful to improve the security arrangements in our nuclear facilities since we came into office a little over a year ago, and we will continue to do so.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): We, too, welcome the report. Safety in the nuclear industry is of paramount importance, and it is worth noting that the UK has a good safety record. I welcome Mike Weightman's view that we need to be continually vigilant in that regard. Nuclear is clearly crucial to security of supply in a low-carbon economy, especially in the light of yesterday's decision. What is the Secretary of State now doing to ensure that the nuclear programme is still on track? When will we see new plant in this country? Will he be pressing ahead with the national policy statements over the summer, or will he wait for the final report in the autumn? Will the lifespan of the existing nuclear stations be extended as coal-fired power stations go off-line? Will he step up his efforts to boost renewable energy to fill the emerging energy gap? That is an area in which we have seen a lack of action from the Government. Finally, although the Secretary of State keeps denying the subsidy issue, to hide his embarrassment, will he acknowledge the need for market support to ensure that we have safe new nuclear in this country as soon as possible?

Chris Huhne: I am grateful to the hon. Lady for her questions. Clearly, there has been a delay in the new nuclear programme preparations as a result of Dr Weightman's report, and I signalled that we needed to do that when I asked Dr Weightman to look at this matter. I am determined, as are the whole Government, to base our evidence on fact, rather than on emotional, knee-jerk responses, which would be entirely inappropriate given the importance of the issues. We will bring forward the energy national policy statements as soon as we can, and I would very much hope that we will be able to catch up over the next few months and years following the delay. As I mentioned in the House yesterday, we have already begun work at Hinckley Point, where EDF is preparing the earthworks for the first of the new nuclear reactors. I am keen to deliver on the commitment in the coalition Government programme that new nuclear should, subject to the proviso that there is no public subsidy, have a place in our energy mix.

I am not going to take any lectures on renewable energy from the hon. Lady. Our inheritance was to be 25th out of 27 European Union member states for installed renewable capacity. We are in the dunce's corner as a result of 13 years of Labour policy, so the best commitment I can make is to say that over the next few years we are absolutely determined to be the fastest improving pupil in the class.

On the hon. Lady's final point, I set out in October a very clear statement about public subsidies. She has to recognise that there is an enormous difference; money such as that available under the European Union emissions trading scheme penalises activities that generate carbon and therefore implicitly subsidises activities that do not generate carbon, and is designed to correct what Lord Stern has described as

"the greatest market failure of all time".

On that basis, we will continue to have policies that encourage low-carbon alternatives, but there will be no support to nuclear; it is a mature industry and there is no justification for extra support.

Several hon. Members *rose—*

Mr Speaker: Order. There is considerable interest, but the House is under real time pressure today, with a statement to follow before the remaining stages of an important Bill. Economy in questions and answers alike is of the essence.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Having discussed the Fukushima problems with the Japanese, I know that they have concluded that not only did the reactor need to be built stronger to withstand the extreme climatic conditions, but that the primary weakness was that there was no secondary power source to circulate the water to keep the nuclear core cool. However, if they can design out those problems, they are perfectly happy in principle to build new nuclear power stations. Should we not take some lessons from those statements?

Chris Huhne: I thank my hon. Friend for that question. The lessons from Japan are extraordinary. First of all, the earthquake, however terrible and powerful, did not damage the reactors. The damage came through the subsequent tsunami, which flooded the secondary cooling system and made it inoperable. It shifted away the diesel supplies for the back-up generating plant. That is precisely why it is so important to look at these secondary systems and ensure that they are proof against any extreme weather events in this country.

Joan Ruddock (Lewisham, Deptford) (Lab): The Secretary of State referred to a raft of recommendations in the report, which he said the Government would accept. I have not read the report, but does he have any idea of the cost of those recommendations and who will pay for them?

Chris Huhne: It is too early to assess the likely cost. I merely point out that, as far as any new nuclear programme is concerned, we are still at the stage where negotiations are going on between the regulators and the companies interested in providing new reactors, making it possible to incorporate into the design stage any changes that flow from Dr Weightman's recommendations. That means that it will be substantially cheaper than it would have been if we were attempting to retrofit.

Andrew George (St Ives) (LD): I congratulate the hon. Member for Newport West (Paul Flynn) on drawing the attention of the House to this report. On the alleged prematurity of drawing early conclusions from the Weightman report, will the Secretary of State reassure the House that he will keep this matter under review, given that, as the hon. Gentleman has said, this is very much a changing scenario in the Fukushima area?

Chris Huhne: There may well be longer-term implications. The key conclusions of the interim report relate to the potential choice of sites, for example, and therefore the implications for national policy statements and the new nuclear programme. We now need to look at any implications for the generic design assessments and the design of new nuclear reactors. There may also be longer-term implications for civil contingencies, as Dr Weightman points out. We will very much keep those matters under review.

Caroline Lucas (Brighton, Pavilion) (Green): Once again, the Secretary of State has claimed that new nuclear will not receive a public subsidy. However, in its report on electricity market reform, the Select Committee on Energy and Climate Change says that the Government's proposals are designed to give nuclear a substantial subsidy. Can the Secretary of State explain why there is such a difference of view between him and the Select Committee?

Chris Huhne: The hon. Lady will be aware, even after only a year in the House, that it is not the first time—*[Interruption.]* I was a colleague of the hon. Lady in the European Parliament for six years, and I have enormous respect for her. However, she will know from her experience both in the European Parliament and here that it is not entirely unknown for Ministers and Select Committees to reach different views on these issues. The key point is that there is a huge difference between offsetting the market failure—which, as Lord Stern pointed out, has been

"the greatest market failure of all time"

—and subsidies directed at a particular way of doing that.

Andrew Stephenson (Pendle) (Con): I welcome what the Secretary of State said today. The British nuclear industry adheres to the highest standards of safety and excellence in engineering. To underline that, may I invite the Secretary of State, or a member of his team, to visit Graham Engineering in Colne, which manufactures nuclear waste drums, next time he is in Lancashire?

Chris Huhne: I am grateful to my hon. Friend for his kind invitation. We will certainly consider it, and we hope to see him in due course.

Barry Gardiner (Brent North) (Lab): I welcome the interim report. It would appear from the flooding risk assessments in conclusion 6 and annexe G that Dr Weightman may not have taken account of recent research at Delft university on eustatic sea level drop. I urge the Secretary of State to investigate that. As for the conclusion on MOX—mixed oxide—can he tell us exactly how the plutonium fallout relates to the testing of nuclear weapons? I believe that after the second world war Japan agreed not to undertake any nuclear weapons testing.

Chris Huhne: The hon. Gentleman has considerable expertise in this area. As a humble economist, I shall be happy to take away his questions and correspond with him on the answers.

Bob Blackman (Harrow East) (Con): What happened in Japan was clearly a disaster, but we should be considering both the design and the siting of new nuclear reactors. Has my right hon. Friend had a chance to assess whether the report will have any implications for the siting of the proposed new nuclear power stations?

Chris Huhne: Dr Weightman makes clear in the report that he believes it will not.

Dr Alan Whitehead (Southampton, Test) (Lab): Will the Secretary of State be considering the implications of the additional expense of new nuclear building as a consequence of the Weightman recommendations? Will he also be considering the present target of bringing one new nuclear power station on stream every nine months between 2018 and 2025 in the light of those additional costs? How fundable does he expect the programme to be?

Chris Huhne: As I said in my response to the question asked by the right hon. Member for Lewisham, Deptford (Joan Ruddock), the cost impact may well be limited by the fact that the programme is at the design stage. I can also tell the hon. Gentleman that the Government do not propose to subsidise nuclear reactors or to invest public money in them. The funding will be up to private investors, who have shown no lack of desire to finance a new nuclear programme.

Dr Thérèse Coffey (Suffolk Coastal) (Con): Every time I go home to my village of Westleton, I see the white dome of Sizewell B. My local energy company is very concerned about safety, and is not at all complacent. I am sure that it will welcome the additional review.

On the matter of nuclear industry safety, the newly formed Office for Nuclear Regulation is part of the Health and Safety Executive, which reports to my right hon. Friend the Secretary of State for Work and Pensions. Does my right hon. Friend agree that it would make sense to transfer responsibility for the ONR to his own Department, so that all nuclear matters can be—so to speak—under one roof?

Chris Huhne: I am grateful to my hon. Friend for her question and, in particular, for the benefit of her scientific background. The first read-out of our nuclear regulatory system produced very good results in comparison with those in other countries, and we were recently given a clean bill of health by the IAEA inspection team. The system is very independent: for example, in the event of a hazard, our regulators are able to shut down the facility immediately with no political sign-off. We have agreed that the Office for Nuclear Regulation will be set up statutorily as an independent body, which is entirely appropriate.

Angus Robertson (Moray) (SNP): Will the Secretary of State acknowledge and respect the fact that planning consent on nuclear issues is devolved, and that under the newly re-elected Scottish National party Government, there will be no new nuclear power stations in Scotland?

Chris Huhne: Yes.

Stephen Mosley (City of Chester) (Con): In parallel with the Weightman report, the Council of the European Union has requested that national regulators carry out stress tests on nuclear power stations. Will my right hon. Friend update the House on the development of those tests, and on when the results are likely to be reported?

Chris Huhne: The Minister of State, Department of Energy and Climate Change, my hon. Friend the Member for Wealden (Charles Hendry), discussed the stress tests recently at an informal EU Energy Council meeting in Hungary, and during bilateral meetings with Commissioner Günther Oettinger. Good progress is being made in defining the tests, and I believe that we will be in a position to make an announcement shortly.

John Cryer (Leyton and Wanstead) (Lab): However much the Secretary of State tries to dress it up, is it not the case that the new carbon floor price represents a massive subsidy to the nuclear industry, possibly to the tune of £2 billion? Is that not why the nuclear industry has been lobbying for it?

Chris Huhne: I return to the point that I made in answer to the hon. Member for Brighton, Pavilion (Caroline Lucas). As Lord Stern said, we have experienced the greatest market failure of all time. We will be able to provide the incentives that will lead all of us, in the private and public sectors, to change our behaviour only if we offset that market failure by incorporating the costs. What there will not be is any subsidy for the nuclear industry.

Martin Horwood (Cheltenham) (LD): I am sure my right hon. Friend will confirm that a magnitude 9 earthquake hit western Europe in its not too recent history, and that the consequent tsunami crossed territorial maritime boundaries and hit the United Kingdom. Given evacuation and compensation bills running into tens of billions of pounds, and sea contamination at 18,000 times the safe limit, is not the real lesson of Fukushima that in the event of an unpredictable catastrophe of any kind, nuclear is the worst possible power source to be in its path?

Chris Huhne: There is an enormous difference between our vulnerability to seismic shocks and, sadly, that of the Japanese. That is a matter of record. There is a good discussion of the matter in Dr Weightman's report, and I urge my hon. Friend to look at it.

Jim Shannon (Strangford) (DUP): I am not opposed to the nuclear industry at all, but has the Secretary of State or his Department been able to ascertain details of the deaths that have taken place recently? It has been indicated that there have been many deaths, but it has not been made clear whether the people who lived nearby were involved in repairs to nuclear reactors. This is not a case of dwelling on tragedy; it is a case of the lessons that we can learn. Can we learn any lessons from the Japanese authorities about how we can improve the safety of people who live close to nuclear reactors?

Chris Huhne: It is far too early to reach conclusions in relation to the Fukushima accident, but there have been estimates on the basis of past accidents. A comparison of the casualty rates of different generating technologies appeared recently in the *New Scientist*. We are acutely aware of the issue, but, sadly, casualties and deaths are associated with almost all energy sources.

Mark Durkan (Foyle) (SDLP): The Secretary of State may accept that some of us find the inspector's answers to the essential safety questions as predictable as those of Churchill the dog. As for the question of public subsidy, is he telling us that any additional infrastructural protections that arise as a result of the report will be funded not from the public purse but by the nuclear industry, and that the carbon floor price will not be adjusted in the light of those additional costs to provide additional subsidy?

Chris Huhne: The considerations that are taken into account in setting the carbon price support—and, indeed, all our other measures—are related to our need to mitigate carbon emissions and have nothing to do with the costs of any particular technology. In that sense, we are technology-neutral; we want the lowest possible cost response in making sure we have a low-carbon economy. Whether that points to alternative technologies to nuclear will be a decision for the market, not the Government.

Nuclear Deterrent

1 pm

The Secretary of State for Defence (Dr Liam Fox): With permission, Mr Speaker, I should like to make a statement on our nuclear deterrent programme.

The House will be aware that we have been considering the next stage of investment—called initial gate—in the programme to deliver a successor to our current nuclear deterrent. This is the point in the Ministry of Defence's procurement cycle at which we decide on broad design parameters, set out our plans for detailed system assessment and order any long lead items that might be required. Taking this action enables us to be sure that we will make the right decisions at the key investment stage, at the main gate, which for this submarine programme will be in 2016. I am announcing today that we have approved the initial gate investment and selected a submarine design that will be powered by a new generation of nuclear propulsion system—the pressurised water reactor 3—that will allow our submarines to deliver our nuclear deterrent capability well into the 2060s if required.

At this milestone in the project, I think it is useful for me to remind the House of this Government's policy on the nuclear deterrent. The first duty of any Government is to ensure the security of their people. The nuclear deterrent provides the ultimate guarantee of our national security, and for the past 42 years the Royal Navy has successfully operated continuous deterrent patrols to ensure just that. I pay tribute to the crews and support staff who ensure the continued success of deterrent operations, and I extend that tribute to the families of all those personnel, many of whom are regularly away from home for long periods.

We assess that no state currently has both the intent and the capability to threaten the independence or integrity of the United Kingdom, but we cannot dismiss the possibility that a major direct nuclear threat to the UK might re-emerge. We simply do not know how the international environment will change in the next few years, let alone the next 50 years; and as this House concluded in 2007 when it voted on whether the UK should start a programme to renew the deterrent, the time is simply not right to do away with it unilaterally. That is not to say that if the time is right we will not move away from nuclear weapons at some time in the future. Our long-term goal remains a world without them, and we are doing all we can to counter proliferation, to make progress on multilateral disarmament, and to build trust and confidence with nations across the globe.

In this spirit, as part of the value-for-money study we reviewed carefully how we manage our deterrent programme, and concluded that we could take significant steps to demonstrate our commitment to disarmament: by reducing the number of warheads carried on each deterrent submarine from no more than 48 to no more than 40; by consequently reducing our overall stockpile of nuclear weapons from no more than 225 to no more than 180 in due course; and by giving a stronger assurance to non-nuclear weapon states in compliance with the nuclear non-proliferation treaty. The value-for-money study delivered £3 billion of savings and deferrals over the next 10 years.

The coalition agreement reflected both coalition parties' commitment to a minimum credible nuclear deterrent, but also the desire of the Liberal Democrats to make the case for alternatives. As Secretary of State for Defence, I am absolutely clear that a minimum nuclear deterrent based on the Trident missile delivery system and continuous at-sea deterrence is right for the United Kingdom and that it should be maintained, and that remains Government policy; but to assist the Liberal Democrats in making the case for alternatives, I am also announcing today the initiation of a study to review the costs, feasibility and credibility of alternative systems and postures. The study will be led by Cabinet Office officials overseen by the Minister for the Armed Forces. A copy of the terms of reference of the study will be placed in the House of Commons Library.

As I have said, the Government have approved the initial gate for the nuclear deterrent successor programme. We have now agreed the broad outline design of the submarine, made some of the design choices—including the propulsion system and the common US-UK missile compartment—and the programme of work we need to start building the first submarine after 2016. We have also agreed the amount of material and parts we will need to buy in advance of the main investment decision.

We expect the next phase of work to cost in the region of £3 billion. That is a significant sum, but I am confident that it represents value for money for the taxpayer, as every aspect of the programme has been carefully reviewed by MOD, Treasury and Cabinet Office officials. It will fund the programme that we need to conduct to make sure that we can bring the submarines into service on time. Overall, we assess that the submarine element of the programme will still cost within the £11 billion to £14 billion estimate set out in the 2006 White Paper, but these costs were estimated at 2006 prices, of course, and did not account for inflation. The equivalent sum today is £20 billion to £25 billion at out-turn, but it is important to recognise that there has been no cost growth in the programme since the House first considered the findings of the White Paper.

Between now and main gate we expect to spend about 15% of the total value of the programme. That is entirely consistent with defence procurement guidance. The cost of long lead items is expected to amount to about £500 million, but it is not true to say that large parts of the build programme will have been completed by main gate. Although we are ordering some of the specialist components, that does not mean that we are locked into any particular strategy before main gate in 2016.

I would like to focus for a moment on the matter of nuclear safety. There has been some ill-informed comment suggesting that our nuclear propulsion systems are not safe. That is simply not true. All our nuclear propulsion plants meet the stringent safety standards set out by the defence nuclear safety regulator and the Health and Safety Executive. However, we are developing a new design of submarine, and it is right that we take advantage of the opportunity that that affords to advance our policy of seeking continual improvement of nuclear safety. A new propulsion plant allows us to do that while also giving us the opportunity to improve the availability of propulsion systems and lower through-life support costs.

I have announced a major step forward in this programme. We have some of the finest submarine builders in the world, and the approval of the next phase of work in the programme will secure the jobs of

[Dr Liam Fox]

the highly skilled and professional work force already involved in it, as well as providing further opportunities for the engineers and apprentices of the future. However, both my Department and industry will have much to do to deliver this programme and to ensure both that we continue to maintain the sustainability of the submarine industry and that we improve performance and drive costs down through more efficient and inclusive working. I am confident that all sides will respond to this challenge.

This is a programme of great national importance, so today I am placing in the Library of the House a report that sets out in detail the work that has been completed so far, the key decisions that I have presented to the House today, and the work that is required over the coming months and years. I believe that the decisions we have taken on our nuclear deterrent programme at initial gate are the right decisions for the country and that, as a result, future generations will continue to benefit from the security we have been so fortunate to enjoy.

Mr Jim Murphy (East Renfrewshire) (Lab): I thank the Secretary of State both for his statement and for providing advance sight of it. I join him in paying tribute to all our forces operating our deterrent and their families, and to our skilled civilian work force who help to build and maintain our defence capabilities. Let me also stress once again that where the Government do the right thing on defence policy, we will, in the national interest, support them.

Britain's independent deterrent has been the cornerstone of our peace and security for over half a century, and our view is that, in today's world, as long as there are other countries with such capability it is right that the UK retains an independent nuclear deterrent. In what will be a detailed debate on the military, technical and financial aspects of today's announcement, there is a careful judgment to be made: whether we believe the threats posed to our nation and our interests to be such that we are more secure with the UK having our own independent deterrent. Most of us believe in a world free of nuclear weapons and a multilateral process to achieve that, whereas others take a different and unilateralist view, born of a myriad of traditions such as faith, passivism, political commitment or concerns about costs. I respect all those views but take a different approach.

The previous Government met their commitment in the December 2006 White Paper to reduce the number of operationally available warheads to fewer than 160, meaning that the UK has reduced its nuclear arsenal by 75% since the end of the cold war. We welcome this Government's announcements in the strategic defence and security review to reduce the number of operationally available warheads and the overall weapons stockpile. We will continue strongly to advocate the nuclear non-proliferation treaty. Its three pillars—non-proliferation, disarmament and the right to use civil nuclear power peacefully—provide the framework around which we should base our policy.

The greatest nuclear threats we face today come from proliferation and unilateral armament, specifically from North Korea, which we know has a nuclear capability, and Iran, which we know has nuclear ambitions. The most robust response to those threats is for the UK to remain committed to the NPT and to be an active disarmer, alongside our allies and other nuclear weapons states. Maintaining our independent deterrent as part of international non-proliferation efforts is therefore vital in enabling us to combat the threats we face at home, and to sustain regional and global security.

I now wish to deal with some specific questions about the review announced today. In 2007, Parliament took the view that it would support the position set out by the previous Government in the 2006 White Paper of replacing the current Vanguard class submarines and maintaining an independent, continuous at-sea submarine-based nuclear deterrent. The decision then was based on evidence and military advice. The Government have announced today that as we move towards main gate there is logic in looking again at some of the defence capability and financial issues relating to how best to maintain a credible, minimum, independent nuclear deterrent. It is important that this is an open process. What is crucial is that the process is evidence-based and in the interests of national security, and that it is not, on occasion, driven by the dynamic within the coalition parties.

I wish to ask the Secretary of State some specific questions. Will the review look at the Government's procurement policy in this Parliament for materials for successor submarines? Will the review look at international co-operation over nuclear policy, including deeper co-operation with France above and beyond the agreements made in the UK-France defence co-operation treaty, which we welcomed? Finally, on the review, can he confirm that the Minister for the Armed Forces is a one-man ministerial review team?

It was announced in the SDSR that initial gate was due to take place by the end of 2010. Can the Secretary of State tell us the reason for the delay and how much it will add to the cost of the programme over its lifetime? He said there were £500 million of costs for long lead items. Can he say what these items are? Can he say what the total cost of the replacement programme will be, and over what period? He made some comments about that, but can he also say from which budgets the overall costs will be met? Can he say whether both the running and construction costs will come from the core defence budget, and whether he has any estimate on the impact that may have on other equipment programmes?

The SDSR stated that the Government would reduce the costs of the successor programme by a total of £3.2 billion over the next 10 years. Can the Secretary of State say whether that takes into account the £1.2 billion to £1.4 billion additional costs of extending the life of the Vanguard class submarines in service until 2028? What reassurances has he been given that extending the life of the Vanguard class submarines is indeed safe? Can he make it clear how much is being spent on the new PWR3 reactors, and over what period?

In conclusion, Labour remains committed to a minimum, credible, independent nuclear deterrent, and we welcome the announcements made today by the Government. This decision will have an impact on our nation and beyond for decades to come, and it is crucial that government find additional ways to involve Parliament in the decision-making process. Labour will always do what is right for the UK's defence and national interests, and the country would expect the Government to continue to do the same.

Dr Fox: I shall do my best to answer the long list of questions that the right hon. Gentleman asked. I shall check *Hansard*, and if I have missed any I shall write to him with further details.

May I thank the right hon. Gentleman for the Opposition's support for the principle of this policy? Cross-party support adds greatly to the credibility of our deterrence policy, which is an essential part of the protection of our country. He rightly says that the major proliferation risk at the moment comes from North Korea and Iran. We do not know whether other countries will join in that so, as he says, it is entirely prudent to retain a minimum, independent, credible nuclear deterrent for the United Kingdom.

The right hon. Gentleman asked a number of specific questions about costs. The costs of the various items were set out in the 2006 White Paper, when they were broadly split into: £11 billion to £14 billion for the submarine; £2 billion to £3 billion for the warhead; and £2 billion to £3 billion for infrastructure. We believe that those costs are still contained in the programme itself. He asked specifically about long lead items, on which, as I said in my statement, approximately £500 million will be spent. They include: the specialised high-grade steel; the main boat systems, such as the computer systems, hydraulic systems and atmospheric systems, the generators and the communications systems; and specialist components, including steam generators and test rigs for the propulsion plants.

On our wider international co-operation, we continue to work, as we set out in our treaty with France, on the capabilities required constantly to maintain the safety of our warheads. There are no plans for collaboration on deployment of a deterrent that goes beyond the treaty that has been signed. Agreement with the United States on the major parameters of the jointly developed common missile compartment design, which will be capable of carrying the Trident D5 missiles and any replacement once the D5 reaches the end of its life in the 2040s, has been a major part of our cost containment during the process.

The right hon. Gentleman asked about the overall costs of the programme. As I said, £3 billion of those will fall between now and 2016. The costs for the years that fall within the current comprehensive spending review are met by the current defence budget settlement. He asked about the life and costs of the Vanguard class submarines. Our assessment when we undertook the value-for-money study was that we could extend Vanguard's life to 2028 without having huge additional maintenance and upgrade costs, and while preserving our continuous at-sea deterrent—CASD. To go beyond 2028 would almost certainly have huge cost implications and might have implications for CASD that we are not willing to undertake. Those were the reasons we took the overall decision, and I hope that I have answered the right hon. Gentleman's specific questions.

Sir Menzies Campbell (North East Fife) (LD): My right hon. Friend is well known for his independence and openness of mind, as was shown by his recently published correspondence with the Prime Minister. May we take it that the conclusions of the study to which he has referred will be published? Given that independence of mind, may we also take it that if the study produces credible procurement and policy alternatives, he will take proper account of them?

Dr Fox: I have always thought that our independence of mind was why we were sent to the House of Commons in the first place, but perhaps I was mistaken. Because of the nature of the content of the report, most of it will remain unpublished, but I will consider whether its conclusions might be published without in any way prejudicing the security of the project itself. As I have just outlined, the Government are committed to the replacement of the Trident system, and the spend will go ahead through the rest of this Parliament.

Mr Bob Ainsworth (Coventry North East) (Lab): On costs, does the Secretary of State accept that since the election two things, effectively, have gone on? Savings have been made as a result of the joint missile compartment and the reduction in the number of warheads, but those savings have been completely wiped out by the political decision demanded by the Liberal Democrats to extend the procurement period beyond the next election. I would have thought that those political decisions have led to costs approaching £2.5 billion, if one takes into account the necessity to build an additional Astute class submarine just to keep Barrow going. One might think that in the circumstances faced by the Secretary of State this might not have been his priority, what with all the other cuts he was making and the additional maintenance round that will now be needed for the existing fleet. How much more additional cost will there be as a result of the separate review? In a Department in which we are bearing down on manpower and reducing the skills available, we are now applying the skill base to an ongoing, second round assessment and review.

Dr Fox: The costs of the alternatives review are met from existing departmental budgets and no additional costs will be associated with it. As I have said, when we take into account the different developments, including the fact that we have taken costs out of the missile compartment, as the right hon. Gentleman correctly says, and have reassessed the infrastructure required, we believe that there has been no additional net cost to the programme on the 2006 prices.

Mr James Arbuthnot (North East Hampshire) (Con): Whatever my right hon. Friend's openness of mind, does he personally agree that the real choice is between a ballistic system and no nuclear deterrent at all? Although there are perfectly respectable arguments for both propositions, the idea of having a vulnerable cruise-based system misses the point of nuclear deterrence altogether.

Dr Fox: I have made it clear on a number of occasions why I believe that having a ballistic, submarine-based system providing continuous at-sea deterrence is the only way to guarantee the level of deterrence that this country has come to regard as the minimum credible level. A number of disadvantages relate to any cruise system, including the fact that the missiles are more vulnerable to anti-missile defences, that they are slower and that there are cost implications because we would require more of them and more platforms from which to launch them. I am very relaxed about any consideration of the alternatives because I believe that anyone who has looked at the criteria and the information behind the 2006 White Paper will rapidly come to the conclusion that if we want a minimum credible nuclear deterrent for the United Kingdom, this system, which will be provided by the replacement Trident system, is the best and in fact the only credible one.

Jeremy Corbyn (Islington North) (Lab): This is a very depressing statement today. First, the Secretary of State gave us no indication of the long-term total costs of the system—he said only that £5 billion would be committed now. Will it cost £70 billon in total, or more? We should be told. Secondly, 184 countries manage without their own nuclear weapons, and most countries see no need whatsoever even to think about getting them. We are spending a vast amount of money on a status symbol that will make the world not a safer place but a more dangerous one. The Secretary of State's arguments about deterrence are nonsense because those arguments could be used for any country in the world. Most choose to take active steps to bring about a nuclear-free world; this country should do the same.

Dr Fox: I appreciate the sincerity of the hon. Gentleman's views; I just profoundly disagree with them. As I have said, we assess that the costs have not changed from the 2006 basic programme. I also said that, taking inflation into account, we expect them to be some £20 billion to £25 billion at out-turn. The hon. Gentleman is quite wrong: there is a growing nuclear threat in the world from such countries as North Korea and Iran. Who knows what other countries might be trying to develop nuclear technology and weaponisation? Those countries pose a wider risk and our nuclear deterrence is not just the UK's independent deterrent but part of the wider NATO nuclear umbrella. It is important that the reductions that have been announced as regards warheads and stockpiles are not only within the letter but within the spirit of the NPT and set a clear direction for future Government policy.

Dr Julian Lewis (New Forest East) (Con): I am really rather worried that my right hon. Friend is in danger of inflicting cruel and unusual punishment on the Minister for the Armed Forces, who is really quite a decent chap. If the Secretary of State, like me, had had the experience of watching the hon. Gentleman address the Liberal Democrat conference on this subject, he would have seen that it was indistinguishable from a CND revivalist meeting. How is it fair to the Minister for the Armed Forces to confront him on the one hand with serious arguments about why Trident is the only option while on the other hand requiring him to go back to the Liberal Democrats and tell them that unavoidable conclusion?

Dr Fox: I rather fear that my hon. Friend is a little too late. Having made my hon. Friend the Minister for the Armed Forces sit through some 57 hours of the strategic defence and security review, I feel I have already inflicted a cruel and unusual punishment on him. I refer my hon. Friend the Member for New Forest East (Dr Lewis) back to the advice he gave me when we were in opposition, which was that we should never be afraid to have the most rigorous look at alternative systems. When one considers the evidence, the costings and the threats, one inevitably comes to the conclusion that a submarine-based continuous at-sea deterrent based on the Trident system will be the best protection for the United Kingdom. I take him at his word and I am not at all afraid to consider the alternatives.

Joan Ruddock (Lewisham, Deptford) (Lab): Given the phenomenal cost of this weapons system and given that we will commit future generations to it by these actions, I believe that people have the right to understand whether this weapons system can be used. What are the circumstances in which Trident would be used? Will the Secretary of State tell the House?

Dr Fox: This has always been at the heart of the deterrent argument. The whole point is that there is uncertainty about the circumstances in which the United Kingdom would respond, and the system therefore acts as a proper deterrent. We would hope that such weapons would never have to be used, because they would deter any threat against us. That is the principle and the core of the issue, and it is something that the unilateralists never understood.

Sir Peter Tapsell (Louth and Horncastle) (Con): Without, obviously, asking the Secretary of State to go into any sort of detail, will he make absolutely certain that the phasing out of Nimrod will not make our submarines more vulnerable to counter-attack?

Dr Fox: We have a number of ways of ensuring the protection of our deterrent and, as my hon. Friend says, he would not expect me to go into detail. As for the Nimrod MRA4 programme, to which he might be referring, I must remind him that that capability was not available to us because the programme was already nine years late and the aircraft had not flown other than in one test that was abandoned for safety reasons. I am afraid that the failure of procurement over a number of years made that capability unavailable today.

Angus Robertson (Moray) (SNP): I thank the Secretary of State for advance notice of his statement. He is well aware that majority opinion in Scotland is opposed to Trident, yet the UK Government are planning to spend billions of pounds of Scottish taxpayers' money on it. Scotland's Churches, the Scottish Trades Union Congress and Scottish civic society are also opposed to Trident, but the MOD wants to base these weapons of mass destruction in Scotland while cutting conventional defence. Scotland's parliamentarians have not voted for this. What kind of respect agenda is this from the London Government, who totally ignore Scottish opinion and go ahead anyway? The Secretary of State is making the most eloquent case for Scottish independence.

Dr Fox: It would be hard to make a less eloquent case for Scottish independence! It is important that we recognise that defence was retained in the UK Parliament in the devolution settlement and that decisions about national security are taken by this House of Commons. Given the attitudes of the Scottish National party, the whole of the United Kingdom should be grateful.

Mr James Gray (North Wiltshire) (Con): It is of course always open for any political party or any part of any political party to take a different view from Her Majesty's Government. Can the Secretary of State think of any precedent whatsoever for public money, ministerial time and resources being used to bolster and examine the manifesto commitment of one particular party that might or might not be part of the coalition?

Dr Fox: There are realities of coalition government that simply have to be faced. As part of the coalition agreement, we made it very clear that we would continue and move to the decisions I have announced today, but we also made it clear that the Liberal Democrats, as one of the coalition partners, would be free to make the case for alternatives. We have lived up to that commitment today.

John Woodcock (Barrow and Furness) (Lab/Co-op): The Secretary of State knows that approval of initial gate is overdue and it is good that more work can finally go ahead, but let me be clear: he has placed yet another review on the future of the deterrent in the hands of a Minister from the Liberal Democrats—a party that is predisposed to rejecting the only option that makes any sense. How can the Secretary of State give us confidence that he will prevent his colleagues, from the Prime Minister down, from playing politics on this issue and that he will back Barrow so that it can deliver for the nation?

Dr Fox: What I am making clear today is that for the rest of this Parliament we will be going ahead with the replacement programme. We are setting out the budget, the areas of policy and the industrial implications for doing so. As I have said, it is part of the coalition agreement that the Liberal Democrats are able to look at these alternatives. Having looked, as Secretary of State since we came to office, at all the alternatives in great detail, including the costs and the implications for defence, I remain absolutely confident that the study is very likely to come to exactly the same conclusion as the 2006 White Paper, but we have given a commitment and we are carrying that out, through Cabinet Office officials, for our Liberal Democrat partners in the coalition. We made an agreement and we are going to honour it.

Bob Stewart (Beckenham) (Con): Does my right hon. Friend agree that the independent nuclear deterrent is being used all the time because it is, by definition, a deterrent to potential enemies? The firing of the weapon would be a disaster of course, but the point of its possession is to prevent that.

Dr Fox: I cannot fault my hon. Friend's logic. He understands the whole basis of the concept of deterrence. Of course, the deterrent is designed to protect the United Kingdom from the threat of nuclear blackmail, but we still have to work hard to prevent the proliferation of nuclear weapons in other parts of the world as a complementary, not an alternative, policy.

Mike Gapes (Ilford South) (Lab/Co-op): The Secretary of State said in a small phrase in his statement that "if the time is right", we could move away from nuclear weapons. Given the strategic arms agreement between the United States and Russia and the successful outcome of the non-proliferation review conference last year, neither of which he has mentioned, when does he think the time will be right to put British nuclear weapons into international disarmament multilateral negotiations?

Dr Fox: In making reductions that go further than necessary we are, as I have already said, not only within the letter of the NPT but well within the spirit of it. The reductions that we have made in going ahead with this programme show that we are committed to seeing lower levels of nuclear weapons worldwide. As long as the threat to the United Kingdom remains, it is prudent for us to maintain a minimum credible nuclear deterrent. How big that credible deterrent is will obviously be reviewed as a matter of policy, but as long as it is required and as long as this Government are in office we will retain it.

James Morris (Halesowen and Rowley Regis) (Con): The Secretary of State said that it is difficult for us to predict events that will happen in the future, but what we do know is that we have instability in Pakistan and a nuclear-ambitious Iran and that North Korea is developing further nuclear capability. Does he agree that it would be strategically naive for the UK Government to make any decisions that would prevent us from being able to deter threats and emerging threats in the world in future?

Dr Fox: I entirely agree with my hon. Friend. I wonder how many in the House predicted the Arab spring, or what was going to happen in Libya. We have little ability to predict what is happening in the strategic security environment and as long as the threat remains there and, in particular, as long as nuclear proliferation continues in states such as North Korea and Iran, the Government simply will not gamble with the future security of generations of British people.

Nick Smith (Blaenau Gwent) (Lab): May I press the Secretary of State on his decision to introduce a study to assist the Liberal Democrats in making the case for alternatives? What will really be the extra cost of this new study?

Dr Fox: I repeat the answer I have already given to this question. I have already said that the costs are contained within departmental budgets. The study will be led by Cabinet Office officials, there is more than sufficient expertise on this subject, believe me, inside the Ministry of Defence, and ministerial oversight will be provided by my hon. Friend the Minister for the Armed Forces.

Rehman Chishti (Gillingham and Rainham) (Con): May I first welcome the statement by the Secretary of State? Does he agree that the United Kingdom's capability as a nuclear-armed state helps it to have a seat on the international top table and helps with global policy?

Dr Fox: I do not think that having a nuclear deterrent does anything to diminish the status of the United Kingdom, but our ability to influence world events is a combination of a range of things including military power, economic power and diplomatic power, all of which we exercise in the furtherance of our national interests.

Thomas Docherty (Dunfermline and West Fife) (Lab): The Secretary of State has demonstrated that he is a principled and honourable man. Does he therefore understand the concern on both sides of the House, and indeed in the country, that given the decision not to have carrier capability for more than a decade, as the First Sea Lord confirmed last week to the Select Committee on Defence, we could, for financial reasons, have no continuous deterrent at sea because the decision will be postponed for so long that it becomes financially unviable?

Dr Fox: I am not entirely sure that I grasped the essence of the hon. Gentleman's question. We will have continuous at-sea deterrence because this programme

[Dr Fox]

will seamlessly move into the replacement programme in 2028. The whole point is that we have continuous at-sea deterrence to give us a credible deterrent for the country.

Robert Halfon (Harlow) (Con): Does my right hon. Friend accept that the main plank of deterrence is mutually assured destruction, but that for MAD to work one has to be sane, and the countries that want to acquire nuclear weapons today are very different from the countries that have them and had them in the cold war? Does he agree that the Government, NATO and other western nations should revisit the strategic defence initiative so that we have the ability to destroy nuclear weapons if they are unleashed from such regimes?

Dr Fox: The point of our nuclear deterrent is to deter a nuclear threat to the United Kingdom from wherever that threat occurs. I make the point again that it is not a choice between having a nuclear deterrent and having a stronger non-proliferation policy—we need both if we are to have a safer Britain and a safer global environment.

Caroline Lucas (Brighton, Pavilion) (Green): The Secretary of State rightly says that the "first duty of any Government is to ensure the security of their people". If it really is the case, as he also says, that the "nuclear deterrent provides the ultimate guarantee of our national security", does he accept the logic of his own argument, which means that all nations should seek to acquire nuclear weapons to ensure the security of their people, and does he look forward to a world in which every nation is nuclear-armed?

Dr Fox: I look forward to a world in which the nuclear threat is being reduced, and we are reducing our nuclear stockpile as part of taking that process forward. I hope that we will see a time when fewer countries will want to enter into nuclear proliferation. We have an international non-proliferation treaty for exactly that purpose, and the status of the United Kingdom and other countries was recognised in that treaty when it was drawn up. In putting forward the proposals we believe not only that we are providing a safe future for the United Kingdom by maintaining our deterrent, but that in reducing the number of warheads we have, we are setting our direction very clearly towards a world in which we hope to see the elimination, over time, of this wider threat from weapons of mass destruction.

Martin Horwood (Cheltenham) (LD): I welcome the study of alternatives. It would be a shame to waste that initial investment should a subsequent Government decide to cancel Trident, having read the report, at the main decision point in 2016—I suspect that during the 2015 election campaign that is what the Liberal Democrats will argue should happen—so can the Secretary of State confirm that new propulsion systems and other technology could be used in submarines deployed in other contexts and not just as part of a Trident programme?

Dr Fox: There is a certain read-across from the Astute to the Trident replacement and the UK should certainly take great pride in our technical capabilities in the submarine arena. However, the hon. Gentleman rather jumps the gun in determining what his party's position will be at the next election before the study on alternatives has been carried out.

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): Does the Secretary of State understand that many people will find it shocking that we are talking about value for money in the context of weapons of mass destruction, for which no moral case can be made? May I press him further on the point made earlier in relation to deterrence? Surely if something is to act as a deterrent, there must be a reasonable assumption that at some stage it may be used. What are the circumstances in which the Secretary of State would sanction the use of nuclear weapons? If he cannot give a straight answer to that, is it not time for the UK to move towards disarming and not to replace Trident?

Dr Fox: I have never accepted the arrogant attitude that there is no moral case for a deterrent. I can appreciate that there are arguments for and against, but the argument that only one side has any moral legitimacy I have always found rather repugnant. We believe that protecting the 60 million people of the United Kingdom from the threat of nuclear blackmail from wherever that threat may come is not only morally justifiable, but is the duty of the Government.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I, too, welcome the statement from my right hon. Friend and his full commitment to future investment in our nuclear deterrent. What assurances can he give me that that investment will be spread as widely as possible across the UK to make sure that companies in my constituency, South Basildon and East Thurrock, have an opportunity to benefit from this announcement?

Dr Fox: We will spread the costs wherever we are achieving our objective industrially, which is sustainability, secured by getting the costs down and the performance up. I am sure that if my hon. Friend has any specific examples of companies that would like to bid for the work, the Ministry of Defence will be only too happy to listen.

Mr Andrew Love (Edmonton) (Lab/Co-op): The Secretary of State seems to believe that simply by reducing the number of weapons, he is complying with the nuclear non-proliferation treaty. Does he accept that we need to do far more in that regard if we are to have any influence in Iran, North Korea and all the other states that we do not know about, which are developing nuclear weapons?

Dr Fox: I am just a little stumped by the logic of that. We announced some time ago that we are reducing the number of warheads carried per submarine, the number that are operationally available, and our total stockpile. Countries such as Iran and North Korea are continuing with their proliferation policy, so there does not seem to be any correlation between what we are doing—making those gestures—which goes well beyond the letter of what is required of us under non-proliferation, and any ability of the rest of the world to predict what rogue regimes such as North Korea will do. As long as that threat remains, and as long as proliferation remains a threat to the United Kingdom, we must maintain the protection of our people.

Sheila Gilmore (Edinburgh East) (Lab): The Secretary of State indicated that the costs between now and 2016 were containable within his budget for the spending review period, but there have been widespread reports in recent days that he is looking for further cuts in his budget to meet his commitments. Can he reassure us that the costs can be met without detriment to the rest of the defence budget?

Dr Fox: The short answer is yes, but what I said was that a proportion of the costs that I outlined today, which go to 2016, fall within the current comprehensive spending review period. I am happy to give the hon. Lady the reassurance that the cost of that element which falls within that CSR period is already met by the departmental budget.

Jim Shannon (Strangford) (DUP): I welcome the Secretary of State's statement. He mentioned that the programme was of great national importance for the whole United Kingdom. A majority of our great nation want our national defences to be strong, and a nuclear deterrent is clearly a core part of that. It is also clear that we need to work alongside our European colleagues to have a strong deterrent. What discussions has the right hon. Gentleman had with them to ensure that the cost of maintaining the deterrent falls on the shoulders not only of the United Kingdom, but of some of our European colleagues?

Dr Fox: Clearly, the costs of the British deterrent fall upon the British taxpayer, the costs of the French deterrent fall upon the French taxpayer and the costs of the US deterrent upon the US taxpayer. There is a great deal of work that we can do together to minimise costs. We have worked with the US on the missile system, we have worked on the common compartment, and we have worked with the French on reducing the costs of ensuring the safety of our warheads. When it comes to the consensus in the House and the country, it is fair to pause and reflect that at the general election, the two largest parties supported the replacement of the Trident programme. The Liberal Democrats supported the concept of minimum credible deterrent, so any idea that the public have not given their assent to this in principle is to fly in the face of the reality of the ballot box.

Points of Order

1.45 pm

Liz Kendall (Leicester West) (Lab): On a point of order, Mr Speaker. Have you had any indication that the Prime Minister will return to the House and correct the record in relation to the role of Mr Mark Britnell under the previous Government? Mr Britnell was chief executive of an NHS hospital and then a civil servant in the Department of Health, not an adviser to the Labour Government, as the Prime Minister claimed earlier today.

Mr Speaker: I am grateful to the hon. Lady for her point of order. Mr Britnell is known to me, but I think the hon. Lady is seeking to continue the debate and argument. She may earn her spurs on her side by doing so, but it is not a point of order on which I can rule.

Grahame M. Morris (Easington) (Lab): On a point of order, Mr Speaker. I seek your advice in relation to a procedural matter. Would it be in order for the Health and Social Care Bill to be recommitted to a further Public Bill Committee, in light of the Deputy Prime Minister's comments last night, when he said that it would be in order to remove one third of the 299 clauses in the Bill—those that relate to the new economic regulator, Monitor?

Mr Speaker: The hon. Gentleman is correct in supposing that it would be procedurally possible for the Bill to be recommitted to a Public Bill Committee, but the handling of the Bill is the Government's responsibility; it is not mine.

Jeremy Corbyn (Islington North) (Lab): On a point of order, Mr Speaker. We have just heard a lengthy statement from the Secretary of State for Defence about the replacement of the Trident nuclear missile system. I was not aware of any remarks by the right hon. Gentleman about when Parliament would debate that, when there would be a vote on it, and when Parliament could fully consider it, as a great deal of money appears to be committed to the project.

Mr Speaker: I hope the hon. Gentleman will not take it amiss if I say that I think he has given the House advance notice of his intention to be present in the Chamber tomorrow for business questions, for that will present an excellent opportunity for him to make his request.

Road Safety

Motion for leave to bring in a Bill (Standing Order No. 23)

1.48 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): I beg to move,

> That leave be given to bring in a Bill to require the Secretary of State to make provision requiring the fitting of equipment to heavy goods vehicles to eliminate driver blind spots; to make other provisions relating to the safety of cyclists, pedestrians and other road users; and for connected purposes.

The Bill is about saving the lives of vulnerable road users, particularly cyclists but also pedestrians and others. The particular vulnerability that it deals with is caused by blind spots on heavy goods vehicles. It is a problem that is particularly acute in city traffic, especially at junctions. The problem is likely to increase as cycling becomes ever more popular as a means of getting to work in urban areas and for leisure, and as lorries get bigger.

A daughter of a constituent of mine lost her life in a collision with a tipper truck. Eilidh Cairns was cycling from her home in Kentish Town to her work in Chiswick. She had cycled this route daily for three years and she was an experienced cyclist. She was caught up under the wheels of the lorry, probably because its front bumper made contact with her rear wheel. The coroner described it as a

> "terrible, terrible tragedy that unfortunately is not an uncommon occurrence here in London where a cyclist and a large vehicle come into contact with each other, and invariably the cyclist will suffer very serious or fatal injuries… It's a huge problem that I think the Government, cyclists and safer cycling groups are going to be grappling with for quite a considerable time".

The purpose of the Bill is to encourage the Government to grapple with that problem in order to safe lives, and using mirrors or technical means to eliminate drivers' blind spots on HGVs is a vital weapon in doing so.

After her death, Eilidh's family and friends set up the "See me, Save me" campaign, which has gained massive support. It shares a name with a motorcycling safety campaign that similarly seeks to secure greater road safety. In the European Parliament, my colleague Fiona Hall MEP tabled a written declaration on the issue and well over half of all MEPs—more than 400—have put their names to it. This means that the Commission must produce proposals to deal with the issue, probably by revising an existing directive so that newly registered HGVs will have effective means of eliminating blind spots, emergency braking and lane departure warning systems.

Here at home, the Transport Secretary last week published a road safety consultation document with a short section on vehicle technology. It stressed a preference for voluntary compliance rather than regulation. On some issues I would share that preference, but on this issue I think regulation is needed, first because the problem remains so serious, and secondly to ensure that hauliers who want to invest in good technology do not feel that they will be undercut by those who are unwilling to do so.

In fact, the costs to a haulage business of involvement in a fatal accident are substantial, including the loss of a driver's services for a long period, the disrupting insurance, legal and other costs, and potentially compensation costs. The cost to the economy is massive. According to the Department for Transport, fatal accidents cost on average more than £1,750,000. The cost of better mirrors and technical additions would be very small in comparison to the huge cost of a new HGV. Fitting such technology to older vehicles could at least be achieved on a gradual basis, at a cost of around £700 on present estimates.

Clearly it is best for these measures to be introduced across Europe, because HGVs travel all over the continent and our roads see numerous haulage vehicles from other European countries. For British hauliers, it would be much better if their competitors from continental Europe were subject to the same requirements as they are. Although the Bill would give our Transport Secretary powers to make regulations for the fitting of equipment to vehicles, its underlying purpose is to demonstrate that Parliament wants to see the British Government actively involved in securing Europe-wide regulations and not holding back. I am glad that the Under-Secretary of State for Transport, the hon. Member for Hemel Hempstead (Mike Penning), who has responsibility for roads, has been present throughout my speech to hear this case.

Other safety provisions could be incorporated in the Bill, and it will be drafted in such a way as to allow this. The details of its provisions can be examined carefully if the House allows it to be brought in and gives it a fair wind. I have found very ready support across the House for the Bill; the list of sponsors was filled up to the limit within an hour or so of it becoming known to the House and many more hon. and right hon. Members would have liked to add their names. The all-party group on cycling has been particularly supportive of the campaign, as have a number of newspapers—*The Independent*, the *Evening Standard* and the *Newcastle Journal* have all given it substantial coverage.

Coroners' verdicts often refer to the deaths of cyclists in the circumstances I have described as accidental deaths, which is much resented by many of the families involved. They feel very strongly that "accident" implies something that was beyond control or prevention. It also seems to preclude culpability where a driver has ignored the fact that he cannot see an area of road on to which his vehicle is encroaching. RoadPeace, the national charity for road crash victims, is pressing for the word "accident" not to be used in future for road crashes or collisions. The case that we are putting today is that many collisions that lead to the deaths of cyclists and other vulnerable road users could be prevented. We should not miss the opportunity to call for practical measures to save lives.

Question put and agreed to.

Ordered,

That Sir Alan Beith, Dr Julian Huppert, Mr James Arbuthnot, Meg Munn, Naomi Long, Sir Peter Bottomley, Andrea Leadsom, Jeremy Corbyn, Tom Brake, Mr Don Foster, Fabian Hamilton and Natascha Engel present the Bill.

Sir Alan Beith accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 9 September, and to be printed (Bill 191).

Localism Bill

[2ND ALLOCATED DAY]

Consideration of Bill, as amended in the Public Bill Committee.

[Relevant documents: The Second Report from the Communities and Local Government Committee, Abolition of Regional Spatial Strategies: a planning vacuum?, HC 517; Written evidence submitted to the Communities and Local Government Committee on the General Power of Competence, HC 931; The Third Report from the Environmental Audit Committee, Sustainable Development in the Localism Bill, HC 799.]

New Clause 21

TAX

'Schedule [Transfers and transfer schemes: tax provisions] (provision about tax in connection with certain transfers and transfer schemes) has effect.'.—*(Robert Neill.)*

Brought up, and read the First time.

1.56 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Robert Neill): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government new schedule 2—*'Transfers and transfer schemes: tax provisions.*

Government new clause 20—*Authority may be required to carry on commercial activities through a taxable body.*

Amendment 351, in clause 158, page 138, line 45, at end insert—

'London Housing and Regeneration Board

"333ZDA London Housing and Regeneration Board

(1) The Authority must establish a London Housing and Regeneration Board within six months of the Localism Act 2011 being passed.

(2) The London Housing and Regeneration Board is to consist of such numbers (being not less than six) as the Authority may from time to time appoint.

(3) The Authority must appoint one of the members as the person with the function of chairing the London Housing and Regeneration Board.

(4) In appointing a person to be a member, the Authority—

(a) must have regard to the desirability of appointing a person who has experience of, and shown some capacity in, a matter relevant to the exercise of the functions set out in this Chapter,

(b) must be satisfied that the person will have no financial or other interest likely to affect prejudicially the exercise of the person's functions as a member, and

(c) must ensure that at least 50 percent. of the number of members on the Board are appointed representatives of London boroughs.

(5) In exercising its housing and regeneration functions and powers subsequent to the enactment of this Chapter the Authority must consult and obtain agreement from the London Housing and Regeneration Board."'.

Government amendments 205 to210 and 212.

Amendment 352, in clause 168, page 148, line 7, at end insert—

'(c) a majority of those London borough councils whose borough contains any part of the designated development area agree to the designation.'.

Government amendments 213 to 215, 218 to 220, 223, 253 to 255 and 265.

Robert Neill: We are dealing with part 7 of the Bill, which relates to governance in Greater London, and part 3, which relates largely to business rate matters and, I am delighted to say, has not proven controversial. I hope that part 7 will not detain us terribly long either, as a good degree of consensus was achieved in Committee and there are just one or two matters that it is necessary to debate further.

I will start with new clause 21, the lead provision in the group, and the majority of associated matters. With the exception of only two topics that I will come to in a moment, the rest of the group comprises a large number of technical amendments relating to two tax issues. Although the new clause is the first new clause listed on the amendment paper, it is not really the natural starting point, so perhaps I will be forgiven if I leapfrog over it to new clause 20, which will amend the Greater London Authority Act 1999 and require the Greater London authority to undertake certain specified activities for a commercial purpose through a taxable body. It relates to the transfer of a large number of functions of the Housing Corporation in London to the Mayor, to the movement of the London Development Agency into the GLA's main body, and to the establishment of mayoral development corporations in London. All of those potentially involve commercial activity, so we have to get the tax treatment right.

Mr Speaker: Order. It might be helpful if I interrupt to make the point to the House that, although that is indeed the lead new clause, the order in which representatives on the Treasury Bench deal with matters is entirely a matter for them. Members can come in on such matters within the grouping as they think fit.

Robert Neill: I am grateful, Mr Speaker.

I will encapsulate the technicalities as swiftly as I can, but it suffices to say that these amendments are necessary to ensure that those commercial activities that are undertaken by the GLA are done so within a taxable environment. As a local authority, it would normally have tax-exempt status, but some of those activities are not of a local authority nature but more of a commercial nature and so have to be properly taxable. There is a long-established tax principle in that regard to ensure a level playing field between the public and private sectors in relation to commercial activities. That is particularly important in this case because the GLA will inherit, as a consequence of our devolution measures, a significant portfolio of land interests, some of which operate on a commercial basis and are subject to corporation tax and capital gains tax. It is not a new state of affairs. Section 157 of the 1999 Act made like provision in relation to the activities of Transport for London. That is the background to what we are doing.

In a nutshell, the list of specified commercial activities, which will be set out in a detailed order, will be worked up by Her Majesty's Revenue and Customs and the

[Robert Neill]

GLA during the passage of the Bill, but essentially the activities of the London Development Agency and Homes and Communities Agency will be transferred to the Mayor. That is how new clause 20 kicks off the whole proposition.

New clause 21 introduces new schedule 2, which will neutralise certain tax consequences—the other side of the coin—that might otherwise arise from the transfer of various property, rights and liabilities from the Office for Tenants and Social Landlords, the Homes and Communities Agency and the London Development Agency to other public bodies. There is a measure to enable the Treasury to make similar tax provisions for future mayoral development corporations. As we know, one is proposed, and we will come to that in a moment, but the provision will technically permit others to be set up and, therefore, embrace properly, within a legal framework, all those related activities.

Essentially, every Government new clause and amendment with which we are concerned relates to that process. The Opposition have tabled a couple of amendments, which I can deal with conveniently either now or in due course once they have been spoken to, but suffice it to say that the only Government amendments that do not form part of the tax treatment provisions are amendments 212 and 213. They relate to the mayoral development corporation, which is proposed for establishment, and I hope that we can find some common ground, because in Committee there was a discussion and Members generally accepted as desirable both the idea that the Mayor of London should have the power to establish a mayoral development corporation, and the current Mayor's intention to establish such a corporation broadly relating to the Olympic park in east London.

The provision is more widely cast than that, for good reasons, and it will permit the establishment of other mayoral development corporations. None is envisaged by the current Mayor and I am not conscious of any envisaged by potential Mayors, either, but it would be on the books for the future.

The question that arose, and which the Government seek to address with the proposed changes, was what are the appropriate means of holding the Mayor to account for mayoral development corporation proposals. If a future Mayor—I am sure that it would not be the current Mayor—were to come up with a proposal for a mayoral development corporation which was thought objectionable, by what means would a control or brake be put on that process?

Mr Stewart Jackson (Peterborough) (Con): Does my hon. Friend agree that the anecdotal evidence from the Thames Gateway is that the level of accountability and the funding streams were often indistinct, that there was an insufficient level of democratic accountability through boroughs outside London, London boroughs and the mayoralty, and that the proposed changes before us seek to rectify that situation?

Robert Neill: My hon. Friend is absolutely right. There is a history to the incremental growth of the London Thames Gateway Development Corporation, which did not prove satisfactory, and as he knows the Government are looking at the matter in a different context.

We seek to introduce proper accountability to the London mayoral development corporation. There was a debate about whether it would be appropriate to give the boroughs a veto, and that possibility has foreshadowed an Opposition amendment. The Government have reflected on the matter, and we take the view that it probably is appropriate and sensible to include a check and balance in the system, but we conclude that, because the Mayor of London is a strategic authority and charged with the economic development policy and oversight for London, the check and balance should not be through any one London borough or group of London boroughs, as they have their own important role, are in any event the statutory consultees on these matters and would have the opportunity to put their views forward anyway.

It is more appropriate if the check and balance mirrors other checks and balances in the GLA's governance scheme, so that the London assembly, which is democratically elected and represents all Londoners, is able to veto a proposal for a mayoral development corporation by a two-thirds qualified majority vote.

Gavin Barwell (Croydon Central) (Con): I am grateful to the Government for accepting the approach that I outlined in Committee in response to an amendment moved by the right hon. Member for Greenwich and Woolwich (Mr Raynsford). Will my hon. Friend confirm that, because of the two-thirds majority to which he refers and the GLA's electoral system, one merit of the proposal is that it will effectively ensure the need for cross-party consensus behind any MDC designation?

Robert Neill: My hon. Friend is entirely right, and I am grateful to him for raising the suggestion in Committee, because it fits neatly with an established pattern of working in the GLA. As he rightly observes, the proposal will require any Mayor to achieve a measure of cross-party consensus. The system is established in relation to the Mayor's budget and the various strategies that he is entitled to bring forward, and it is logical to include such an important issue in the same regime. Not only is there an electoral system in the GLA which requires cross-party consensus for a two-thirds majority, but the assembly is seized of certain powers not unlike our powers in this place to call for people and papers, so it can summon people and, therefore, carry out robust scrutiny.

Importantly, the assembly is also elected on a basis that includes constituency representatives and those elected through a list system, so any London borough that might be affected or concerned by a proposed mayoral development corporation has its constituency assembly representative at City hall who is able to stand up, ask questions and challenge on their behalf. I hope that that meets the Opposition's point, and that their amendment will not be necessary.

Barbara Keeley (Worsley and Eccles South) (Lab): I doubt it, because having representatives from borough councils on the assembly is not a strong enough measure; they may not comprise the majority. There is still the view in London borough councils, which we will hear more of when we come to our amendments, that they should have a veto. The designation of a mayoral development corporation in an area is a very powerful measure. I heard the Minister say that he did not believe the current Mayor had any extra MDCs in mind, but he could do, and the power is cast quite widely.

Robert Neill: I am disappointed in the hon. Lady's response, because I thought that we had got a good deal of the way down the track to meet what were sensible concerns. There is a difference between recognising that the establishment of a mayoral development corporation is part of the outworking of London-wide policy, in which the Mayor will have to have regard to the strategic economic and developmental interests of the whole city, which may be different from the individual interests of a single local authority, and recognising that the assembly is the body that this House has already charged with holding the Mayor to account for the way in which he exercises those powers.

There is a difficulty with giving a veto to an individual London borough, because the borough's interests are very properly not required to be strategic in the same way as those of the Mayor and of the assembly. Often they are, in fairness, and I do not mean to diminish the importance of the London boroughs. As the hon. Lady knows, I spent 16 years as a London borough councillor before spending eight years on the London assembly. That may indicate precocious sadness on my part, but that is a different matter. Both bodies fulfil very important functions, but they are different functions, and, if we are rightly going to put a check and balance on the Mayor's exercise of his strategic role, we must do so through the assembly—the elected strategic check and balance. The boroughs have an important role in this because the Mayor is required to consult them, among other bodies, and they therefore have a powerful tool in being able to raise their concerns and to lobby their borough elected representative on the assembly to ensure that their case and their voice is heard.

Simon Hughes (Bermondsey and Old Southwark) (LD): Our colleagues on the London assembly are supportive of the Government's amendments and new clauses, as are my London colleagues and other colleagues in this place. Let me seek clarification on one thing; I hope that I might catch the Speaker's eye later to speak on the substance of it. If the Mayor were to set up development corporations in London, would there be any changes in the planning processes in those areas that took democratic control away from the elected councillors? That was controversial under the old urban development corporations set up by the Conservative Government when Lord Heseltine was the relevant Secretary of State.

Robert Neill: Yes, the corporations could act in that way. They do not have to, because we have not been as specific as was the case in the past with the old-style development corporations as to exactly what they have to include. The likelihood, it is fair to say, is that they would, because part of the objective of a development corporation generally is to bring the development function and the planning function for a particular area together to speed up development. In practice—I hope that this will reassure my right hon. Friend—the east London MDC that was proposed for the Olympic park area has been involved an iterative process, with a degree of discussion between the Mayor and the five London boroughs affected. There has been some negotiation, which is probably a mature thing to have in the current circumstances. The upshot is that we now have a proposal to which the Mayor and the London boroughs are satisfied they can sign up. The boroughs accept that they cede some planning power for a period, but now do so by agreement with the Mayor. I think the same process can be achieved in other cases.

Mr Stewart Jackson: Setting aside the sui generis nature of London governance, does my hon. Friend agree that the level of direct accountability of these Government proposals is greater than that which existed hitherto in, for instance, West Northamptonshire Development Corporation, North Northants Development Company and most of, if not all of, the housing market renewal areas? This is indeed an improvement in terms of direct accountability for regeneration policy.

Robert Neill: My hon. Friend is absolutely right, for two reasons. First, the power to set up the corporation is devolved, and a directly elected regional figure, in the shape of the Mayor, takes that decision. Secondly, there is the veto, which did not exist in relation to the other, earlier-style development corporations. There is therefore a significantly enhanced degree of accountability.

Simon Hughes: I heard what the Minister said about the discussions that have been going on in east London between the Mayor and the local authorities. If, for example, the current Mayor or any future Mayor had the further idea that there should be mayoral development corporations south of the river, would that, of necessity, require him to have the agreement of the local authority or authorities in question if they had a different view, given that there could be a conflict? Co-operation is fine, but a difference of view that means that the local authority's views are disregarded is not so fine.

Robert Neill: In theory, a Mayor could seek to disregard a local authority's views, but in practice we reckon that the new clause makes that unachievable. There are two reasons for that. First, the Mayor will have to consult the local authorities, which will have registered their objection. As with any public law decision, he has to behave in a way that is rational and reasonable within the terms of the Associated Provincial Picture Houses *v.* Wednesbury Corporation case. Secondly, because of the electoral arrangements in London, the local authority would be well placed to ensure that a blocking majority was created in the assembly to prevent the policy from going through. There is a theoretical possibility that the Mayor would be able to create the sort of rogue corporation that one might be concerned about, but in reality it is pretty much inconceivable.

Mr Nick Raynsford (Greenwich and Woolwich) (Lab): The Minister knows that it is not just a theoretical possibility. The Bill states very clearly that if the Mayor applies to the Secretary of State for a mayoral development corporation and has gone through the processes of consultation, if that proposal then comes before the Secretary of State, he must, under the terms of the Bill, create that mayoral development corporation. When I put these points to the Minister in earlier debates in this Chamber on Second Reading and in Committee, I said

[Mr Nick Raynsford]

the real danger was that a Mayor who had considerable support in the assembly, as can happen following an election, would be in a strong position to railroad through his proposal against the opposition of the local borough. That remains the case, and I hope that the Minister will accept that.

2.15 pm

Robert Neill: I am sorry, but the right hon. Gentleman has been consistently wrong on this point. If he will forgive my saying so, I know that he is offended when somebody comes up with an idea in London governance which is not his own. With respect to him, as he has considerable experience in this field, his solution to the risk, which I do accept, that a Mayor might seek to set up a rogue or an unacceptable development corporation was, in effect, to give the Secretary of State the veto—in other words, instead of saying, as the Bill does, that the Secretary of State "must" approve the proposal, that he "may" approve a policy, and that the veto would rest with a Minister. That was a highly centralising means of resolving the problem. Instead, the Government have trusted the elected representatives of London and said that the assembly, through qualified majority voting, may exercise the veto. That is much more consistent with the localist thrust of the Bill, and I would have thought it was closer to what the right hon. Gentleman, who after all introduced devolution in London, would himself wish to see.

Mr Raynsford *rose—*

Andrea Leadsom (South Northamptonshire) (Con) *rose—*

Robert Neill: I give way first to my hon. Friend and then to the right hon. Gentleman.

Andrea Leadsom: As my hon. Friend knows, West Northamptonshire Development Corporation has been hated by local residents for the simple reason that it was forced on them to try to implement a central Government housing policy that has not been successful and that we hope to eliminate within the next couple of years.

Robert Neill: I am grateful to my hon. Friend for sharing her experience of that body, which is a matter of great concern to her and to others. We have endeavoured to learn from past experience and past failings in the way in which we construct our arrangement, and we have therefore put a democratic veto into our proposals.

Mr Raynsford: I want to correct the Minister's assertion that I was wrong in my interpretation of the Bill. I repeat the point that was put to him by the right hon. Member for Bermondsey and Old Southwark (Simon Hughes): if the Mayor decides to proceed with a proposal for a mayoral development corporation, the Secretary of State has to give effect to it if it is not blocked by the assembly. We have had debates about the proper mechanisms for blocking such a proposal. However, as the Minister must concede because it is in the Bill, if those mechanisms do not work, the Secretary of State has no discretion and has to give effect to the Mayor's requirement to bring into effect such a development corporation irrespective of whether the individual borough is opposed to it. Will he now please concede that I was not wrong on that point, because that is what the Bill says?

Robert Neill: I will give the right hon. Gentleman this: he is right on textual analysis but remains wrong on policy, because his solution is a centralist one that would give the Secretary of State a veto. The whole point of what we are doing, in improving the Bill from its original state, is that we do not allow the Secretary of State to veto a decision taken by elected representatives in London; rather, we allow the assembly, which is the established body for keeping the Mayor of London in check, to exercise the veto. In policy terms, that is preferable.

I am disappointed that the Opposition object to this. As I recall only too well, in 1999 they made great play of having devolved power to London by establishing the Greater London authority. I now accept that that was the right thing to do. We are following the logic of that by enabling Londoners to take the decision as to what is the best shape and size of an important regeneration tool for London. They do that with the Mayor making the proposal and the assembly having the ability, if necessary, to veto it, and the boroughs being able to be consulted and to exercise influence through their elected members of the assembly. I am sorry that the Opposition seem to want to start a bit of a war where none need exist, because there is consensus among all parties in the assembly that it is desirable to go down this route.

Barbara Keeley: I think I am right in reporting the Minister as saying that a principle of the Localism Bill is to trust local representatives. I hope that Ministers will bear that in mind as they take the Bill through its final stages in the House, because I want to question them about why that does not carry through to the imposition of shadow mayors, although I know that that is outside the scope of this debate. If we are to be true to the principle of trusting elected representatives, which the Minister has just stated, we must not impose on them.

Various people have intervened in this debate. It would help if we moved on to considering the amendments fairly soon, because we will be able to take the arguments in the round if we do that.

Mr Speaker: Order. That is in the hands of the Chair. At this stage, the hon. Gentleman will continue his remarks.

Robert Neill: I am grateful, Mr Speaker. I am anxious to deal with as many of the issues raised by hon. Members as possible, because this debate is time-limited, and for good reason. I hope that I have dealt, in large measure, with why it is appropriate to adopt the Government amendments, and why that is preferable to placing a veto in the hands of the boroughs, which would create a potential conflict of interest, or the earlier Opposition proposition of leaving a veto with central Government, which would be entirely contrary to the spirit of the Bill.

I will cover one final topic before I finish, if I may. Another proposal in the group, which I anticipate will be put, is amendment 351, tabled by the hon. Member for Lewisham East (Heidi Alexander), the next-door neighbour of part of my constituency. The amendment relates to the London housing and regeneration board. It is important that the Bill transfers housing powers and responsibilities from central Government agencies, in the form of the Homes and Communities Agency, to the Mayor. That has been welcomed across the piece politically in London. It is envisaged that the London housing board will be the vehicle within which that work is carried out.

As I read it, and I will happily be corrected if I am wrong, the amendment would prescribe in statute a requirement that the GLA should have a London housing and regeneration board. I cannot go that far because although it is no doubt a sensible thing to have, certainly at the moment, and is something that works well enough with the involvement of the Mayor's office and the boroughs, we do not think it is consistent with the spirit of localism for us to prescribe, in one particular area, the manner in which the GLA should carry out its activities. Interestingly, that again seems to be a little bit of potential centralism creeping in through the back door. I would prefer to give the Mayor and the boroughs flexibility in determining how to take those issues forward.

I hope that I have dealt with all the topics in what has perhaps been a livelier debate than might have been anticipated when we started to talk about tax clauses, which I note have not featured in the controversy at all, perhaps not surprisingly.

Heidi Alexander (Lewisham East) (Lab): I am grateful for the opportunity to speak to the two amendments in my name, although it feels rather strange to be doing so when we have already had much of the debate. I will speak to amendment 351, which relates to the establishment of a London housing and regeneration board, and seeks to guarantee that at least 50% of the membership of such a board would be made up of representatives from the local authority. I will also speak to amendment 352, which we have already debated at some length, and which relates to the process that has to be gone through to establish a mayoral development corporation. Under the amendment, the agreement of any council that is affected would be required before an MDC could be established. I am conscious that there is much to debate this afternoon, so I will limit my remarks.

I will move on to why I tabled the amendments. I should say at the outset that the amendments have been promoted and supported by London Councils, which, as hon. Members know, is the cross-party organisation that represents London boroughs. We can debate the localist merits of the Bill as a whole, but the provisions on London are distinctly regionalist. Whereas in other parts of the country there is the abolition of regional spatial strategies, we still have the London plan. The Bill proposes the winding up of the London Development Agency and the London part of the Homes and Communities Agency, with their powers being transferred to the London Mayor. Due to the Government's understandable desire to ensure that the regeneration legacy of the Olympics takes effect, there are proposals in the Bill to enable the Mayor to set up a mayoral development corporation. However, as drafted, the Bill suggests that there could be an MDC anywhere in London, and not just at the Olympics site. My amendments would act as a brake on the concentrating powers that the Bill puts into the hands of the Mayor of London. They would give councils and councillors a voice, and they would give people in London the same say as people elsewhere in the country.

Amendment 352 would make it a requirement that a local authority in a proposed MDC area must agree to its establishment. If more that one local authority is affected, all must agree. The Bill as drafted gives complete power to the Mayor and the Secretary of State. Under Government amendment 213, the support of two thirds of the assembly will be needed for a proposal to move forward. That is not a sufficient assurance. There could be a situation in London in which local people are completely against the setting up of an MDC, councillors and the local authority in the area are completely against the setting up of an MDC, and the GLA constituency member is completely against the setting up of an MDC, and yet if the Mayor wants it to happen, it will happen. I ask hon. Members, what is localist about that?

We had some fun in Committee. On Second Reading, my right hon. Friend the Member for Greenwich and Woolwich (Mr Raynsford) talked about the prospect of a new Mayor of London—perhaps Ken Livingstone in a year's time—choosing to establish a mayoral development corporation in Bromley. I will not repeat those comments.

Mr Raynsford: Why not?

Heidi Alexander: I will not repeat them because I am under strict instructions to keep the debate moving as quickly as I can.

Mr Stewart Jackson: I am interested in the hon. Lady's views and I am listening to her with great attention. Does she not feel that her proposals are a recipe for institutionalised impasse? Having served on such benign bodies as the London Ecology Committee, the London Waste Regulation Authority and the London fire and civil defence authority, I know that it is almost impossible to get all the boroughs to agree. Therefore, if one borough has a de facto veto, there would never be any major progress on housing and regeneration across Greater London.

Heidi Alexander: That is quite a negative view of politics in London. I do not think that my proposal would lead to institutionalised impasse. The proposals on the ability to set up an MDC in any area are incredibly important. The things that an MDC could do, such as granting planning permission for different developments, compulsorily purchasing land and agreeing plans for an area, are significant matters for people who live in the neighbourhood. Local councils and councillors would also have views on those matters. I would hope that all parts of London government could come together and agree whether an MDC was an appropriate vehicle in a local area. I therefore question whether retaining the powers with the Mayor and the Secretary of State in the Bill is true localism. That was my reason for tabling amendment 352.

As the Minister said, amendment 351 to clause 158 proposes the establishment of a new London housing and regeneration board. With the winding up of the London Development Agency and the London part of the Homes and Communities Agency, many powers will be transferred to the Mayor of London. We also see in

[Heidi Alexander]

chapter 3 of part 6 that provision is made for the devolution of local authority housing finance. That will mean an enhanced role for local authorities in providing, commissioning and funding affordable housing in London.

2.30 pm

I believe it is vital that local authorities and the London Mayor work together to ensure a joint focus on the delivery of much-needed new affordable homes. My amendment would establish a board within six months of the Bill coming into law, and as I said earlier, at least 50% of members of that board would be local authority representatives. That would be a good way of achieving the joint working that London so desperately needs.

The Minister said that the amendment was unnecessarily prescriptive and asked why we should legislate to set up such a board in London. I cannot let that pass, because in other parts of the Bill, that idea has not prevented the Government from being incredibly prescriptive, whether about arrangements to establish a neighbourhood forum or the process for nominating land as a community asset. The Bill is hugely prescriptive in many ways, and I suggest that on a matter as important as regeneration and the provision of affordable housing, perhaps we could have a bit more prescription to ensure that we achieve what we all want in London.

The provision of new homes in London at a rent that people can afford is one of the most pressing challenges in the capital. It is difficult, because we do not see huge amounts of land lying around in London and it cannot easily be bought cheaply. Also, the Government have brought forward a huge programme of swingeing cuts to capital budgets for house building. We have seen the proposals for the affordable rent model, and there are many important questions to ask about how workable it is in London, particularly in funding the building of three and four-bedroom family homes. Perhaps they can be built, but whether anyone living in London can afford to live in them is another thing altogether.

There are important issues to deal with in the provision of new affordable housing in London, and we have to find a way of getting the Mayor of London, the Greater London authority, the local authorities and local communities to work together to achieve that aim. That is the only way in which progress will be made. It is not about one part of London government blaming another; it is about genuine partnership. I am not making a party political point—yes, politics will come into the discussions that take place between the Mayor and London boroughs, but sometimes the arguments will be between politicians of the same party. I want us to raise the issue above party politics and give it the importance that it deserves.

I urge Members to listen carefully to the rest of the debate and to ask themselves the following questions. Does part 7 of the Bill represent a new era in localism? Does it devolve decisions to the lowest possible level? Does it give more power to London residents and citizens? I do not think that it does, and if Government Members agree with me, I suggest that they join me in the Lobby when we vote on my amendments later, because I intend to press them.

Gavin Barwell: I will restrict myself to commenting on mayoral development corporations. There is an irony in the positions that the parties are taking today. It is rather strange for Conservative Members to be defending city-wide government and for Labour Members to be making the case for the boroughs. Incidentally, I say in passing that I always find it slightly grating when people refer to London as a region. It is a city, and I consider myself as living not in a region but in the world's greatest city.

Having started on that note of disagreement, I wish to say that on Second Reading and in Committee the right hon. Member for Greenwich and Woolwich (Mr Raynsford) correctly diagnosed a problem with the Bill. There was a danger that a future Mayor would designate a mayoral development corporation despite widespread cross-party opposition in all parts of the affected area. There would be nothing that the Secretary of State could do but accept that designation. He was absolutely right about that, and we had a good debate about it in Committee.

As my hon. Friend the Minister said, the problem with the solution that the right hon. Gentleman proposed at that point was that it would have centralised the decision back with the Government. I made the suggestion, which I am grateful to the Government for adopting, that we should go with the grain of the existing arrangements, for which the right hon. Gentleman was probably responsible, and use the London assembly to hold the Mayor in check.

The hon. Member for Lewisham East (Heidi Alexander), who made a very good contribution throughout the Committee stage, has proposed an alternative solution. The problem is that, if just one local authority were involved, that local authority would essentially be given a veto. There might be good public policy reasons for the Mayor wanting to pursue a development corporation solution in a particular area. I therefore believe that the Government have adopted the right model in the Bill. I suppose I would say that, having proposed it in Committee, but I hope that Ministers will consider a couple of minor tweaks that could be made. If they are persuaded, perhaps that can happen in another place. I shall come to those tweaks in a moment.

My hon. Friend the Minister will know that many of the people who serve on the London assembly are themselves councillors in the local authorities concerned. In Croydon and Sutton, our London assembly member, Steve O'Connell, is a Croydon councillor. In the neighbouring GLA constituency of Merton and Wandsworth, Richard Tracey is a local councillor.

Eric Ollerenshaw (Lancaster and Fleetwood) (Con) *indicated assent.*

Gavin Barwell: My hon. Friend, who is a former member of the assembly, knows that many members are in that position.

The right hon. Member for Bermondsey and Old Southwark (Simon Hughes) referred to urban development corporations. I see that he is in heavy conversation at the moment, but he talked about the lack of democratic accountability in those corporations in the 1980s. It is important to make the point that in this case, the designation of a development corporation would be made not by central Government but by the Mayor of London, who is democratically elected.

I am conscious of the time and know that other Members wish to speak, so I end with two points that Ministers might wish to consider. Schedule 21 deals with the detailed arrangements for mayoral development corporations. Paragraph 1 is about the membership of them, and perhaps the Government could consider a requirement that the people whom the Mayor appointed to them, or at least some of them, should have a connection with the local area covered. That is not mentioned in the schedule. It sets out the need for people to have experience and to have shown some capacity in the relevant functions of the corporation, and for them to have no financial interest. Those are both good and sensible provisions, but there may well be a case for ensuring that at least some members have a local connection with the area and perhaps a relationship with the local authority.

Paragraph 6 of schedule 21 is about committees established by mayoral development corporations. Sub-paragraph (3) states:

> "A committee or sub-committee may, with the agreement of the Mayor, include persons who are not members of the MDC, but a majority of the members of a committee or sub-committee must be members of the MDC."

I, and I suspect other Members, have received representations from both the Mayor and the assembly stating that they would be happy with a much more relaxed rule that gave MDCs more freedom to appoint a greater proportion of people who were not members of its board. Those people may well be members of the local authority or have connections with the area. Given that we have not yet achieved complete consensus on this matter, the Government could look at some of the details of schedule 21, to see whether we can address some of those concerns.

In conclusion, it is greatly to Ministers' credit that they listened to the debate in Committee and came back with a solution, which I think is a good one that improves the Bill. If they went away and looked at a couple of details on schedule 21, it might be possible to address some of the concerns that hon. Members have raised in this debate.

Simon Hughes: I shall make a brief contribution to what is an important debate for London, which I am happy to take part in once again.

I agree with the hon. Member for Lewisham East (Heidi Alexander) that the two biggest issues that affect my constituents and hers, and that fall directly or indirectly within the remit of local government, are jobs and housing. Most people are most concerned about those two issues most of the time. I am afraid that I come to this debate with long experience in this place. When I was first elected, Lady Thatcher's Government had just set up urban development corporations throughout the country, of which the London Docklands Development Corporation was one. Indeed, that was the backdrop to my by-election, because my predecessor, Bob Mellish, was appointed as vice-chairman of the LDDC. That was not uncontroversial in Bermondsey, because people in general, and particularly those in the Labour party, did not think that a quango should be given the powers over Southwark, Newham and Tower Hamlets that the LDDC was given, so appointing a Labour MP to the LDDC was not consistent with Labour party policy.

That handover of powers to the UDCs was very controversial, because it meant that planning decisions were taken by a group of unelected people. It was possible to influence the people who took the decisions, but never possible to hold them directly accountable. I used to go to planning committee meetings following lots of community activity—they were not always in Southwark: sometimes, for major planning schemes in the Surrey docks or along the riverside, meetings were held at the LDDC in the Isle of Dogs or elsewhere—but communities often felt alienated afterwards. The legacy is the feeling of remoteness when decisions are not taken by locally elected representatives.

I am not saying that the local community comes away feeling deliriously happy after every local council planning committee meeting. I have seen enough local planning committees in Southwark over the years make controversial planning decisions—under Labour, Liberal Democrat and Liberal Democrat-Conservative coalition administrations. However, at the end of the day, the public at least know that they can kick those people out at the next election if they want to do so. My premise, therefore, is that the starting point should always be accountable decision making, particularly on planning matters, and particularly on the big planning matters that "urban development" by definition implies. This is not about whether someone can have a bedroom in the mansard roof of a flat or house, or whether someone's garage can be an extra bedroom; this is about schemes for industrial sites and other things on that scale.

Mr Stewart Jackson: I hasten to say that I do not know as much about the right hon. Gentleman's constituency as he does, but surely the history of the LDDC is that the political administrations in, for instance, Tower Hamlets and Newham, which happened to be Labour-run at the time, were viscerally hostile to central Government; and refused to undertake any realistic action on regeneration or to face up to post-industrial decline in their boroughs. Central Government was therefore forced to step in to provide a template for regeneration and housing.

Simon Hughes: I shall not help the House to hold a seminar on London in the '70s and '80s, which would actually be very interesting. The hon. Gentleman is nevertheless right. Local authorities did not get on with development. There were frozen developments, including one in the Royal Docks and some in my constituency, after the closure of the London docks in the upper pool in places like Bermondsey, and their move down to Tilbury. That is why the Government intervened, and I understand why they did so. It was necessary to get something moving. Whatever else we say about it, the LDDC certainly did that. Its legacy has, in general terms, been very benign. The regeneration has been hugely successful. Southwark is as prosperous as it is, and the business rates that are collected in Southwark are as high as they are, because of the regeneration along the riverside from London bridge down to the end of my constituency at the other side of the Greenland dock, on the border with Deptford.

2.45 pm

To pursue the housing and jobs theme, it is clear that there are huge opportunities for employment-regenerative activities in inner-London boroughs if the conditions—

meaning rate relief, sites and so on—are right. I visited the Tower Bridge Business Centre in my constituency just the other day, which is on the site of the old Peek Frean's factory in Bermondsey. That hugely successful, privately owned enterprise provides a nursery and units of various sizes for people as they grow their businesses. It is one of a set of businesses run by the same company around Greater London, where it does all its business. It has very innovative ideas. There is no shortage of individuals, small firms and others that want to come in to take over the spaces that were previously occupied by larger businesses. The large wholesale warehouses and distribution centres, for example, are not in London any more, and we no longer need storage centres because we store on micro-files rather than in paper files.

The opportunity for London to continue as a place of employment still exists, and not just in the financial industries of the City. London has fantastic creative industries, small engineering enterprises and so on, and we must make the most of these opportunities.

There is a huge need to ensure that we continue to build homes at prices that our constituents can afford. The other day, I met some representatives of the G15 group of London housing associations, which owns the largest number of properties in London; it is known to all London Members. The G15 is concerned about how the financial picture and envelope will permit them to develop. I undertook to the G15 that I would seek to convene a meeting in June to try to sort out what appears at the moment to be a set of policies that is not yet fully connected. Invited are the Housing and Local Government Minister, who has agreed to attend; Lord Freud, the Under-Secretary of State for Work and Pensions; colleagues from throughout London from all parties; the Mayor, who has shown an interest; local councillors representing the 33 local authorities;, and the housing world. How do we deliver more affordable homes, particularly the larger homes with three or four bedrooms for families, and deliver on the Government's general approach to welfare without making it impossible for people to stay in the sorts of homes that we want them to be in? I hope we can join up that remaining part of the policy, and I welcome the advice of the hon. Member for Lewisham East, who has experience of the matter. I will work with her colleagues and Conservative colleagues, and I am sure that we can make further progress. I also welcome the fact that the Mayor is taking a direct interest.

The proposals in this group are about further transfers of power to the Mayor. As a veteran of both the legislation to the abolish the Greater London council, which I opposed, and the legislation to set up the Greater London authority, which I supported, I believe that more powers should be given to London government from central Government. Indeed, the difficulties that the Government have run into on other policies—for example, on the NHS—could have been less had they accepted our advice. I and my hon. Friends argued and voted for amendments on transferring strategic health powers to London government, for example, because it is better to get rid of unaccountable quangos and regional bodies and to replace them with accountable regional bodies.

Mr Raynsford: I was a little surprised when the right hon. Gentleman said that he supported the restoration of the GLA. My recollection is that he and the Liberal Democrats voted against the creation of a Mayor of London. He might have supported the concept of an assembly, but the Liberal Democrats did not support the GLA architecture as it exists.

Simon Hughes: The right hon. Gentleman is of course correct. He knows that as well as anybody, because it was his plan that the Government were delivering on. Liberal Democrats wanted devolution to London, but we were not sold on that model, which is why we still—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. May I just say that we need to get back to dealing with the new clause? We are having a history lesson in the Chamber. As interesting as that is, other people are waiting to speak. I am sure that the right hon. Gentleman now wishes to address the new clause.

Simon Hughes: I stand rebuked, Mr Deputy Speaker. I was tempted by the right hon. Gentleman, but I will not be any more. I will make a few more comments, and then sit down.

The next issue is how exactly the transfer of powers back to London will work. It is certainly right that, as the Bill proposes, we get rid of the London function of the Homes and Communities Agency, which is a quango, and transfer it to a democratically elected Mayor answerable to the 25 elected members of the London assembly. That is a good thing. It is also certainly right that the Government abolish the Government office for London. There is no need for a Government office for London as well as a Mayor, a London assembly and a Greater London authority. All those policies are heading in the right direction.

We now need to solve the further dilemma of how we strike the right balance between London-wide decisions, which are perfectly proper, and the interests of the boroughs. I understand that there is still some unresolved tension in that regard. My colleagues on the London assembly and across London think that, on balance, the Government are heading in the right direction, so today, although obviously the hon. Member for Lewisham East is entitled to make her case, we cannot support her. However, I do not want her to take that to mean that there are not further conversations to be had. Obviously the Bill will go to the House of Lords, and there will be opportunities to look at these things afresh.

I am hopeful that today's debate will flag up the need to ensure—I am happy to have further conversations with colleagues about this—that the new architecture is the right architecture. I heard clearly what the Minister said about the Mayor's power being subject to the two-thirds support of the London assembly, and I agree that that amounts to a requirement for a cross-party endorsement or cross-party veto. That will be a welcome control mechanism. I do not criticise the fact that the representatives, particularly the constituency representatives, should be able to speak for their constituencies, including for the borough councils within those constituencies, which is one of their jobs.

Heidi Alexander: What does the right hon. Gentleman make of what I see as something of a conundrum in the Bill? If a neighbourhood forum in his constituency came up with a neighbourhood plan, it could be completely overridden by the establishment of a mayoral development corporation, over which his community, councillors and local authority will have had no say.

Simon Hughes: They will have had a say, because, as the hon. Lady will know, the Bill contains a requirement for formal consultation with a list of people, including every local authority and others.

The Government are trying to take power from the centre and hand it down to the regions, including London, and then further down, not just to local authorities but to neighbourhoods. Southwark has eight community councils, which is very welcome. That is what the Under-Secretary of State for Communities and Local Government, the hon. Member for Bromley and Chislehurst (Robert Neill), who has responsibility for planning, asks us to support. However, that does not mean that there should not be overarching responsibilities on a London-wide basis.

I say to the hon. Member for Lewisham East that there is certainly a wish to continue arguing for a London-wide responsibility for housing strategy, and we need to work out the best way of delivering that. Boroughs will do their own thing to develop as much as they can, but we will clearly need a London-wide policy to meet the needs of the homeless, asylum seekers and refugees, for instance, who do not immediately and naturally become the responsibility of a particular borough, because they do not have a fixed link with that borough. I and my London colleagues are keen to work with her and her London colleagues and the Minister and his colleagues to try to ensure that at the end of the deliberations we put in place the best possible structure, providing appropriate responsibilities at the level of boroughs and the Mayor and the London assembly, and as far as possible allowing for democratic accountability for all policies, particularly housing and regeneration.

Gavin Barwell: I tried to address in my speech the point that the right hon. Gentleman is making, but he was in discussion with a colleague at the time. If paragraph 6 of schedule 11 was amended, it would give the Mayor more flexibility to put people from neighbourhood planning groups or local authority representatives on to the MDC planning committee. That may be one way of squaring this circle.

Simon Hughes: At the moment, of course, the legislation provides for how the Mayor chooses the people to be on the development corporations. That could be looked at again. I do not think that my colleagues would object to there being nominees either from the local authorities in the areas in question—whether from more than one or a single local authority—or from the community councils and elsewhere. I think the hon. Gentleman's idea, which we need to consider, is a good one.

There needs to be good democracy in London whereby people can be held to account for the decisions they make. The fact that the London Development Agency is going is helpful, because it means that the Mayor will be responsible for London's economic regeneration as a whole. That is what mayors of big cities should do. Whether people support mayors in big cities is a separate debate, but if we have them, that is what they should do. The Mayor should be held to account by the assembly, so I hope that we can say to the Minister that he is on the right track, but that he should remain alert to the concerns expressed by the hon. Member for Lewisham East and her Front-Bench colleagues. If we can get it, we need to aim for consensus by the time the Bill completes its passage through the House of Lords and Parliament.

Mr Stewart Jackson: I am pleased to follow the right hon. Member for Bermondsey and Old Southwark (Simon Hughes). It goes without saying that I support the Government amendments. The Bill will disturb the equilibrium that we established in 1998 and the settled view of London governance. The right hon. Member for Greenwich and Woolwich (Mr Raynsford) piloted the legislation on this matter through Parliament. I had the pleasure—generally speaking—of serving with him in the last Parliament on several Bill Committees, but in some respects he is resiling from earlier commitments. His proposals opposing the Government amendments and the views expressed ably and articulately by the hon. Member for Lewisham East (Heidi Alexander) seek effectively to undermine the authority and autonomy of the boroughs. They would set up an institutionalised conflict between the boroughs and the Greater London authority, with the Mayor quite possibly acting as the de facto referee and invigilator. That is a serious concern.

On the hon. Lady's amendment 351, we should acknowledge the consensus in the House on the need for more affordable housing, better-quality housing and aesthetically pleasing housing, and above all for regeneration to consolidate London's position as the pre-eminent city in Europe. However, looking at what was delivered in the dozen or so years of the regional development agencies, when we had a centralised policy, and an over-prescriptive and—one may even say—draconian approach to housing targets, I am not convinced that instituting a pan-London borough body would achieve the key objectives that we all seek.

I mentioned earlier, albeit perhaps in a slightly irreverent way, that for eight years while I was a London borough councillor, I served on bodies that were largely non-political. To get agreement on waste transfer and ecology centres was difficult enough, so making value judgments as between different boroughs and in effect resiling from a strategic overview of what is good for a whole city or region probably would not work. Incidentally, I have to disabuse my hon. Friend the Member for Croydon Central (Gavin Barwell) of one notion. Peterborough is, in fact, the greatest city in the world, but we might have to beg to differ on that. However, with all due respect to the hon. Member for Lewisham East, while my heart agrees with her, my head says that her proposals probably would not work or deliver what we wish.

Let me briefly address the Government amendments and the points made by the hon. Member for Worsley and Eccles South (Barbara Keeley) and the right hon. Member for Greenwich and Woolwich. As the right hon. Member for Bermondsey and Old Southwark said, we would be returning to something like the situation that prevailed with the London Docklands Development Corporation, with the Secretary of State required to make the value judgment that neither the boroughs nor the GLA could sort something out, and therefore to impose a regeneration body. We have moved on from that. We now have a more mature and nuanced political culture. Once we establish the bona fides of London governance through the GLA and the Mayor, with the proviso that there will effectively be a two-thirds veto for the directly elected individuals, who will debate

[Mr Stewart Jackson]

among themselves and with their boroughs, it would seem invidious to undermine that by putting so much potential power—again, effectively in the form of a veto—in the hands of the Mayor.

3 pm

On that basis, I would urge Ministers—and in particular the Under-Secretary of State, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill)—to reject the Opposition's views and to make the case strongly. What we have is the best consensual way forward to ensure that we get what we all want, which is better quality housing in London and for the economic engine driving the south-east and the wider country to be a success. That is why I support the Government amendments.

Barbara Keeley: I want to speak briefly in support of the amendments so ably presented by my hon. Friend the Member for Lewisham East (Heidi Alexander). There was much consensus on this part of the Bill, unlike on others. There was much consultation with the Mayor, the Greater London assembly and London councils. To me, this part of the Bill shows the value of early and thorough consultation. Perhaps there is a lesson for us there.

As my hon. Friend has argued, the powers of a mayoral development corporation would be great. The power of the Mayor to establish new mayoral development corporations anywhere across the Greater London area is cast widely, as we discussed extensively in Committee. Amendment 352 quite rightly seeks to ensure that where a Mayor seeks to establish a further mayoral development corporation, the majority of the borough councils affected by such a designation would have to agree to it. The Opposition do not believe that this would create any form of impasse. However, it is important that a borough council with only a small representation in the assembly—one that could therefore in no way seek to achieve a two-thirds majority through its assembly representation—should be able to come to agreement with either one or all the other boroughs if another development corporation was designated. We agree with my hon. Friend's amendment 352 and will support it in a Division.

Robert Neill: This has been an interesting and worthwhile debate, although I accept that there has been an element of déjà vu for some of us. I say that as someone who served on the old Greater London council and who found its abolition quite painless, partly because at the same time I was serving on the fire authority, the waste regulation authority, the waste disposal authority and the borough council. My hon. Friend the Member for Peterborough (Mr Jackson) is quite right that we created a somewhat convoluted architecture thereafter, which is why it is right to restore as much decision making as we can to London. That is why I am grateful for his support for the general thrust of where we are going.

I understand the point that the hon. Member for Lewisham East (Heidi Alexander) made about the importance of employment and housing. She is absolutely right about that. I also accept the need to take all the agencies in London along with any such proposal, but I cannot accept her proposition that we cannot trust London's politicians to come to a mature decision on the best way forward.

A powerful point about the history of London was made by my right hon. Friend the Member for Bermondsey and Old Southwark (Simon Hughes) and my hon. Friend the Member for Croydon Central (Gavin Barwell), and it was also reinforced by my hon. Friend the Member for Peterborough. They all have long experience in London government. Their point was that there are some details that can be looked at, but it is important to recognise that the relationship between the Mayor and the assembly has matured, even in the short time that the assembly has been in existence. Indeed, the relationship between the Mayor and the boroughs has matured regardless of party, under Mayors of both principal parties, as it happens. We should not underestimate the brokerage and leverage role that exists in the system, in addition to a purely legalistic role.

If I may be permitted to mention one bit of history, something that we learned from the previous GLC is that it was not simply the disagreements of Ken Livingstone with the Government of the day that undermined the GLC. Rather, the GLC was undermined by the tension between the two tiers and the risk, on occasion, of impasse—impasse that arose regardless of the party controlling the GLC and the London boroughs at the time. That is my concern. Giving boroughs an absolute veto in the way suggested by amendment 352 risks recreating the tensions of the old GLC days, rather than sticking with the more collaborative working that we currently have.

The proposal put forward by my hon. Friend the Member for Croydon Central, to which my right hon. Friend the Member for Bermondsey and Old Southwark also referred, is a sensible one. We can consider the details and discuss them sensibly to find a way to take it forward. We have learned from the rather remote model of operation of the earlier development corporations, and we want to embed that learning in how we go forward in future.

Even at this late stage, I hope that the Opposition will think about the necessity of pressing their amendment 352 to a vote. However, if they really insist, I would ask the House to reject it.

Question put and agreed to.

New clause 21 accordingly read a Second time, and added to the Bill.

New Schedule 2

'TRANSFERS AND TRANSFER SCHEMES: TAX PROVISIONS

PART 1

TRANSFER UNDER PARAGRAPH 60 OF SCHEDULE16

1 (1) For the purposes of any enactment about income tax or corporation tax, the Office and the HCA are to be treated as the same person.

(2) In particular, the transfer effected by paragraph 60 of Schedule 16 is to be disregarded for those purposes.

(3) Accordingly, that transfer is not to be regarded for the purposes of Part 8 of the Corporation Tax Act 2009 (gains and losses from intangible fixed assets) as involving any realisation of an asset by the Office or acquisition of an asset by the HCA.

(4) In this paragraph—

"enactment" includes an enactment contained in an instrument made under an Act,

"the HCA" means the Homes and Communities Agency, and

"the Office" means the Office for Tenants and Social Landlords.

PART 2

CERTAIN TRANSFERS UNDER SCHEME UNDER SECTION161 OR162

Interpretation of Part 2 of Schedule

2 In this Part of this Schedule—

"CTA 2009" means the Corporation Tax Act 2009,

"public body" means—

(a) a person which is a public body for the purposes of section 66 of the Finance Act 2003 (stamp duty land tax: transfers involving public bodies), or

(b) a person prescribed for the purposes of this Part of this Schedule by order made by the Treasury,

"relevant transfer" means—

(a) a transfer, in accordance with a transfer scheme under section161, to a taxable public body of property, rights or liabilities of the Homes and Communities Agency, or

(b) a transfer, in accordance with a transfer scheme under section162, to a taxable public body,

"taxable public body" means a public body which is within the charge to corporation tax,

"transferee", in relation to a transfer in accordance with a transfer scheme under section161 or162, means the person to whom the transfer is made, and

"transferor"—

(a) means the Homes and Communities Agency in relation to a transfer, in accordance with a transfer scheme under section161, of property, rights or liabilities of that Agency, and

(b) means the London Development Agency in relation to a transfer in accordance with a transfer scheme under section162.

Computation of profits and losses in respect of transfer of a trade

3 (1) This paragraph applies where a taxable public body ("the predecessor") is carrying on a trade or part of a trade and, as a result of a transfer scheme under section 161 or 162—

(a) the predecessor ceases to carry on that trade or part of a trade, and

(b) another taxable public body ("the successor") begins to carry on that trade or part.

(2) For the purposes of calculating, in relation to the time when the scheme comes into force and subsequent times, the relevant trading profits or losses of the predecessor and the successor—

(a) the trade or part is to be treated as having been a separate trade at the time of its commencement and as having been carried on by the successor at all times since its commencement as a separate trade, and

(b) the trade carried on by the successor after the time when the scheme comes into force is to be treated as the same trade as that which the successor is treated, by virtue of paragraph (a), as having carried on as a separate trade before that time.

(3) If a trade or part of a trade is to be treated under this paragraph as a separate trade, such apportionments of receipts, expenses, assets and liabilities are to be made for the purposes of computing relevant trading profits or losses as may be just and reasonable.

(4) This paragraph is subject to the other provisions of this Part of this Schedule.

(5) In this paragraph "relevant trading profits or losses" means profits or losses under Part 3 of CTA 2009 in respect of the trade or part of a trade in question.

Transfers of trading stock

4 (1) This paragraph applies if—

(a) under a relevant transfer, trading stock of the transferor is transferred to the transferee,

(b) immediately after the transfer takes effect, the stock is to be treated as trading stock of the transferee, and

(c) paragraph 3 does not apply in relation to the transfer.

(2) Sub-paragraphs (3) and (4) have effect in calculating for any corporation tax purpose both—

(a) the profits of the trade in relation to which the stock is trading stock immediately before the transfer takes effect ("the transferor's trade"), and

(b) the profits of the trade in relation to which it is to be treated as trading stock ("the transferee's trade").

(3) The stock is to be treated as having been—

(a) disposed of by the transferor in the course of the transferor's trade,

(b) acquired by the transferee in the course of the transferee's trade, and

(c) subject to that, disposed of and acquired when the transfer takes effect.

(4) The stock is to be valued as if the disposal and acquisition had been for a consideration which in relation to the transferor would have resulted in neither a profit nor a loss being brought into account in respect of the disposal in the accounting period of the transferor which ends with, or is current at, the time when the transfer takes effect.

(5) In this paragraph "trading stock" has the meaning given by section 163 of CTA 2009.

Continuity in relation to loan relationships

5 (1) For the purposes of the application of Part 5 of CTA 2009 (loan relationships) in relation to a relevant transfer of rights and liabilities under a loan relationship to which immediately before the transfer takes effect the transferor is a party for the purposes of a trade it carries on, the transferee and the transferor are to be treated as if at the time of the transfer they were members of the same group.

(2) For the purposes of the application of Part 5 of CTA 2009 in relation to a transfer that—

(a) is to a public body,

(b) is in accordance with a transfer scheme under section 161 or 162, and

(c) is of rights and liabilities under a loan relationship to which immediately before the transfer takes effect the HCA or LDA is a party otherwise than for the purposes of a trade it carries on,

the HCA or LDA, and the person to whom the transfer is made, are to be treated as if at the time of the transfer they were members of the same group.

(3) In this paragraph any reference to being members of the same group is to be read in accordance with section 170 of the Taxation of Chargeable Gains Act 1992.

(4) In this paragraph—

"the HCA" means the Homes and Communities Agency, and

"the LDA" means the London Development Agency.

Chargeable gains: disposal on transfer to be treated as no gain/no loss disposal

6 (1) For the purposes of the Taxation of Chargeable Gains Act 1992, a disposal constituted by a transfer within sub-paragraph (2) is to be treated in relation to the transferor and transferee as made for a consideration such that no gain or loss accrues to the transferor.

(2) A transfer is within this sub-paragraph if—

(a) it is a transfer in accordance with a transfer scheme under section 161 of property, rights or liabilities of the Homes and Communities Agency and the transferee is a public body, or

(b) it is in accordance with a transfer scheme under section 162 and the transferee is a public body.

(3) In section 288(3A) of the Taxation of Chargeable Gains Act 1992 (meaning of the "no gain/no loss provisions") at the end insert—

"(m) paragraph 6(1) of Schedule [Transfers and transfer schemes: tax provisions] to the Localism Act 2011."

Stamp duty

7 Stamp duty is not chargeable on a transfer scheme under section162 if the transferee is a public body.

Modifications of transfer schemes

8 (1) This paragraph applies if—

(a) a company delivers a company tax return,

(b) subsequently an agreement is made modifying a transfer scheme under section 161 or 162, and

(c) as a result of that, the return is incorrect.

(2) The return may be amended under paragraph 15 of Schedule 18 to the Finance Act 1998 so as to remedy the error, ignoring any time limit which would otherwise prevent that happening.

(3) An amendment may not be made in reliance on sub-paragraph (2) more than 12 months after the end of the accounting period of the company during which the agreement is made.

(4) Sub-paragraphs (5) and (6) apply if the company does not amend the return so as to remedy the error before the end of that 12 month period.

(5) A discovery assessment or a discovery determination may be made in relation to the error, ignoring any time limit which would otherwise prevent that happening.

(6) Such an assessment or determination may not be made in reliance on sub-paragraph (5) more than 24 months after the end of the accounting period mentioned in sub-paragraph (3).

(7) Expressions used in this paragraph and in Schedule 18 to the Finance Act 1998 have in this paragraph the meaning they have in that Schedule.'.

PART 3

TRANSFERS UNDER SCHEME UNDER SECTION171(1) OR (4) OR187(1)

9 (1) In this paragraph "transfer scheme" means a transfer scheme under section 171(1) or (4) or 187(1).

(2) The Treasury may by regulations make provision for varying the way in which a relevant tax has effect from time to time in relation to—

(a) any property, rights or liabilities transferred in accordance with a transfer scheme, or

(b) anything done for the purposes of, or in relation to, or in consequence of, the transfer of any property, rights or liabilities in accordance with a transfer scheme.

(3) The provision that may be made under sub-paragraph (2)(a) includes, in particular, provision for—

(a) a tax provision not to apply, or to apply with modifications, in relation to any property, rights or liabilities transferred;

(b) any property, rights or liabilities transferred to be treated in a specified way for the purposes of a tax provision;

(c) the Secretary of State or Mayor of London to be required or permitted, with the consent of the Treasury, to determine, or to specify the method for determining, anything which needs to be determined for the purposes of any tax provision so far as relating to any property, rights or liabilities transferred.

(4) The provision that may be made under sub-paragraph (2)(b) includes, in particular, provision for—

(a) a tax provision not to apply, or to apply with modifications, in relation to anything done for the purposes of, or in relation to, or in consequence of, the transfer;

(b) anything done for the purposes of, or in relation to, or in consequence of, the transfer to have or not to have a specified consequence or to be treated in a specified way;

(c) the Secretary of State or Mayor of London to be required or permitted, with the consent of the Treasury, to determine, or to specify the method for determining, anything which needs to be determined for the purposes of any tax provision so far as relating to anything done for the purposes of, in relation to, or in consequence of, the transfer.

(5) In this paragraph—

"relevant tax" means corporation tax, income tax, capital gains tax, stamp duty, stamp duty land tax or stamp duty reserve tax, and

"tax provision" means a provision of an enactment about a relevant tax.

(6) In sub-paragraph (5) "enactment" includes an enactment contained in an instrument made under an Act.'.—*(Robert Neill.)*

Brought up, read the First and Second time, and added to the Bill.

New Clause 20

AUTHORITY MAY BE REQUIRED TO CARRY ON COMMERCIAL ACTIVITIES THROUGH A TAXABLE BODY

'(1) The Greater London Authority Act 1999 is amended as follows.

(2) After section 34 insert—

"34A Restriction on exercise of certain powers except through a taxable body

(1) The Authority may carry on specified activities for a commercial purpose only if it does so—

(a) through a company that is a subsidiary of the Authority, or

(b) in pursuance of an authorisation under section 38(1), through—

(i) a body that is specified in section 38(2) and is within the charge to corporation tax, or

(ii) a company that is a subsidiary of a body specified in section 38(2).

(2) Subsection (3) applies if—

(a) the Authority carries on a specified activity for a commercial purpose otherwise than as permitted by subsection (1), and

(b) the activity is actually carried on by a body (whether the Authority or another) that, disregarding this section, is in respect of the carrying-on of the activity exempt from corporation tax and income tax.

(3) The body mentioned in subsection (2)(b) is to be treated in respect of the carrying-on of the activity as not being a local authority for the purposes of—

(a) section 984 of the Corporation Tax Act 2010 (exemption of local authorities from corporation tax),

(b) section 838 of the Income Tax Act 2007 (exemption of local authorities from income tax), and

(c) section 271 of the Taxation of Chargeable Gains Act 1992 (exemption of local authorities from capital gains tax).

(4) In this section—

"company" means—

(a) a company within the meaning given by section 1(1) of the Companies Act 2006, or

(b) a society registered or deemed to be registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969, and

"specified activity" means an activity specified in an order made by the Secretary of State with the consent of the Treasury."

(3) In section 420(8) (orders subject to annulment) after the entry for section 25 insert—

"section 34A;".'.—*(Robert Neill.)*

Brought up, read the First and Second time, and added to the Bill.

Clause 161

TRANSFER OF PROPERTY OF HOMES AND COMMUNITIES AGENCY ETC

Amendments made: 205, page 143, line 31, at end insert—

'(ba) a company that is a subsidiary of the Greater London Authority,'.

Amendment 206, page 143, line 38, at end insert—

'"company" means—

(a) a company within the meaning given by section 1(1) of the Companies Act 2006, or

(b) a society registered or deemed to be registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969;'.

Amendment 207, page 143, line 42, at end insert—

'"subsidiary" has the meaning given by section 1159 of the Companies Act 2006.'.—*(Robert Neill.)*

Clause 162

ABOLITION OF LONDON DEVELOPMENT AGENCY AND TRANSFER OF ITS PROPERTY ETC

Amendments made: 208, page 144, line 8, at end insert—

'(ba) a company that is a subsidiary of the Greater London Authority,'.

Amendment 209, page 144, line 17, at end insert—

'"company" means—

(a) a company within the meaning given by section 1(1) of the Companies Act 2006, or

(b) a society registered or deemed to be registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969;'.

Amendment 210, page 144, line 21, at end insert—

'"subsidiary" has the meaning given by section 1159 of the Companies Act 2006.'.—*(Robert Neill.)*

Clause 168

DESIGNATION OF MAYORAL DEVELOPMENT AREAS

Amendments made: 212, page 148, line 1, leave out from 'has' to end of line.

(e) the Mayor has laid before the London Assembly, in accordance with standing orders of the Greater London Authority, a document stating that the Mayor is proposing to designate the area, and

(f) the consideration period for the document has expired without the London Assembly having rejected the proposal.'.—*(Robert Neill.)*

Amendment proposed: 352, page 148, line 7, at end insert—

'(e) a majority of those London borough councils whose borough contains any part of the designated development area agree to the designation.'.—*(Heidi Alexander.)*

Question put, That the amendment be made.

The House proceeded to a Division.

Mr Deputy Speaker (Mr Lindsay Hoyle): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 222, Noes 310.

Division No. 280] **[3.7 pm**

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blears, rh Hazel
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Byrne, rh Mr Liam
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobson, rh Frank
Docherty, Thomas
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Engel, Natascha
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Goggins, rh Paul
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Kaufman, rh Sir Gerald

Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Love, Mr Andrew
Lucas, Caroline
Lucas, Ian
MacShane, rh Mr Denis
Mactaggart, Fiona
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKinnell, Catherine
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Mitchell, Austin
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Phillipson, Bridget
Qureshi, Yasmin
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Wood, Mike
Woodcock, John
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Phil Wilson and
Lyn Brown

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Alexander, rh Danny
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Bagshawe, Ms Louise
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burrowes, Mr David
Burstow, Paul
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clegg, rh Mr Nick
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Farron, Tim
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howarth, Mr Gerald
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lamb, Norman
Lancaster, Mark
Lansley, rh Mr Andrew
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, Dr Julian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan

Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paice, rh Mr James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Spelman, rh Mrs Caroline
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Tapsell, Sir Peter
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Wallace, Mr Ben
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Michael Fabricant and
Mr Philip Dunne

Question accordingly negatived.

Amendment made: 213, page 148, line 22, at end insert—

'(4A) For the purposes of subsection (3)(f)—

(a) the "consideration period" for a document is the 21 days beginning with the day the document is laid before the London Assembly in accordance with standing orders of the Greater London Authority, and

(b) the London Assembly rejects a proposal if it resolves to do so on a motion—

(i) considered at a meeting of the Assembly throughout which members of the public are entitled to be present, and

(ii) agreed to by at least two thirds of the Assembly members voting.'.—*(Greg Clark.)*

Clause 171

TRANSFERS OF PROPERTY ETC TO A MAYORAL DEVELOPMENT CORPORATION

Amendments made: 214, page 150, line 12, at end insert

', or

(c) a company that is a subsidiary of the Greater London Authority.'.

Amendment 215, page 150, line 23, at end insert—

'(8A) In subsection (4)(c)—

"company" means—

(a) a company within the meaning given by section 1(1) of the Companies Act 2006, or

(b) a society registered or deemed to be registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969, and "subsidiary" has the meaning given by section 1159 of the Companies Act 2006.'.—*(Greg Clark.)*

Clause 173

FUNCTIONS IN RELATION TO TOWN AND COUNTRY PLANNING

Amendment made: 216, page 151, line 41, leave out from 'has' to end of line.

Clause 185

POWERS IN RELATION TO DISCRETIONARY RELIEF FROM NON-DOMESTIC RATES

Amendment made: 217, page 157, line 28, leave out from 'has' to end of line.

Clause 187

TRANSFERS OF PROPERTY, RIGHTS AND LIABILITIES

Amendments made: 218, page 158, line 26, at end insert—

'"company" means—

(a) a company within the meaning given by section 1(1) of the Companies Act 2006, or

(b) a society registered or deemed to be registered under the Co-operative and Community Benefit Societies and Credit Unions Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969;'.

Amendment 219, page 158, line 31, at end insert—

'(ba) a company that is a subsidiary of the Greater London Authority,'.

Amendment 220, page 158, line 34, at end insert—

'"subsidiary" has the meaning given by section 1159 of the Companies Act 2006.'.—*(Greg Clark.)*

New Clause 19

CAPITAL RECEIPTS FROM DISPOSAL OF HOUSING LAND

In section 11 of the Local Government Act 2003 (use of capital receipts by a local authority) after subsection (5) insert—

"(6) The Secretary of State and a local authority in England may enter into an agreement with the effect that a requirement imposed under subsection (2)(b) does not apply to, or is modified in its application to, capital receipts of the authority that are specified or described in the agreement.".—*(Andrew Stunell.)*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Stunell): I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this it will be convenient to discuss the following:

New clause 3—*Disestablishment of an arm's length management organisation*—

'Schedule [Disestablishment of an arm's length management organisation] has effect.'.

New clause 24—*Landlord notification of succession of tenancy*—

'In Schedule 2, Part 3, Ground 16, sub-paragraph (b) of the Housing Act 1985, after "date", insert "on which the landlord was notified"'.

New clause 25—*Recovery of a tenancy granted on ineligible grounds*—

'In section 167(8) of the Housing Act 1996, after "scheme", insert "and any allocation which is not in accordance with the allocation scheme shall be void and shall not give rise to a tenancy"'.

New clause 26—*Housing co-operatives*—

'(1) Schedule 14 of the Housing Act 2004 is amended as follows.

(2) In paragraph 6 insert new sub-paragraph—

"(3) This paragraph does apply to any building which is owned by a fully mutual co-operative housing association as defined by section 1(2) of the Housing Associations Act 1985, the management of which is undertaken by general meeting.".'.

Amendment 273, in clause 123, page 108, line 11, after '1985)', insert

'or who have been owed such duties at any time within the previous five years'.

Amendment 360, in clause 124, page 110, line 37, Clause 124, leave out 'two' and insert 'five'.

Amendment 270, page 110, line 39, at end insert—

'(7A) In subsection (7AC) at end, insert—

"(d) In so far as reasonably practicable, the private rented sector offer must be within the local housing authority's district."'.

Amendment 269, in clause 125, page 111, line 33, at end insert—

'(2A) Omit section 190 and replace with—

"190 Duties to persons becoming homeless intentionally or who are not in priority need.

(1) This section applies where the local housing authority is satisfied that an applicant is homeless and is eligible for assistance but are also satisfied that he became homeless intentionally.

(2) The local authority must—

(a) secure that accommodation is available for his occupation for such period as it considers will give him a reasonable opportunity of securing accommodation for his occupation, and

(b) provide him with (or secure that he is provided with) advice and assistance in any attempts he may make to secure that accommodation becomes available for his occupation.

(3) The applicant's housing needs shall be assessed before advice and assistance is provided under subsection (2)(b).

(4) The advice and assistance provided under subsection (2)(b) must include information about the likely availability in the authority's district of types of accommodation appropriate to the applicant's housing needs (including, in particular, the location and sources of such types of accommodation).".

(2B) Omit section 192.'.

Amendment 274, page 111, line 39, leave out 'two' and insert 'five'.

Amendment 275, page 112, line 12, leave out 'two' and insert 'five'.

Amendment 276, page 112, line 34, leave out subsection (6).

Amendment 361, in clause 126, page 113, line 15, at end insert—

'(1A) In preparing its tenancy strategy a local authority must ensure that to the greatest extent possible, tenancies granted in its area provide security of tenure so as to support and develop stable and confident communities.'.

Amendment 363, page 114, line 19, leave out clause 128.

Amendment 13, page 114, line 36, leave out clause 130.

Amendment 271, in clause 130, page 115, line 7, at end insert—

'(2A) Subsection (2) shall not apply to a secure tenancy if immediately before the tenancy was granted the person who became the tenant under the tenancy, or in the case of joint tenants, one or more of them was—

(a) a secure tenant of the same or another dwelling-house, or

(b) an assured tenant of a private registered provider of social housing or a registered social

landlord (otherwise than under an assured shorthold tenancy) in respect of the same or

another dwelling-house.'.

Amendment 272, page 116, line 33, leave out from beginning to end of line 30 on page 117 and insert—

'sections 83 to 85A of the Housing Act 1985 shall apply equally to Flexible Tenancies and references to secure tenancies in those sections shall be read accordingly.'.

Amendment 362, page 116, line 33, after 'Subject', insert

'to the discretion of the court, in circumstances where the tenant has made representations against the granting of possession, not to make an order if it considers that order disproportionate, and subject'.

Amendment 14, page 118, line 19, leave out clause 131.

Amendment 277, in clause 134, page 121, line 36 at end insert—

'(c) or P is another member of the tenant's family and has resided with the tenant

throughout the period of 12 months ending with the tenant's death.'.

Government amendments 191 to 203.

Amendment 364, page 128, line 35, leave out clause 148.

Government amendment 204

Amendment 278, page 130, line 18 leave out clause 153.

New clause 23—*Litter deposited from motor vehicles*—

'In Part IV of the Environmental Protection Act 1990 (litter etc) in section 87 (offence of leaving litter) after subsection (7) insert—

"(8) Where litter is deposited from a motor vehicle, the person in charge of the vehicle shall, for the purposes of subsection (1) above, be treated as having deposited the litter whether or not he gave any instructions for this to be done.

(9) The registered keeper of a vehicle shall, for the purposes of subsection (8) above, be deemed to be the person in charge of the vehicle unless within twenty one days of receipt of the summons for an offence prosecuted by virtue of subsection (8) above the registered keeper provides in writing to the prosecutor notification of such identifying details as are available to him of any other person he claims to have been the person in charge of the vehicle at the relevant time.

(10) For the purposes of subsection (8) above a constable or an authorised officer of a principal litter authority may by notice in writing served on him, require any person to furnish such information specified in the notice as may reasonably be required to ascertain the person in charge of the vehicle at the relevant time, in such form and within such period, being not less than fourteen days following service of the notice, as is so specified.

(11) It is an offence for a person, without reasonable excuse to fail to comply with any requirement imposed under subsection (10) above."'.

New clause 33—*Street litter notices*—

'(1) In Part 4 of the Environmental Protection Act 1990 (litter etc.) in section 93(2) after "unoccupied" insert "or where there is multiple occupancy".

(2) In Part 4 of the Environmental Protection Act 1990 (litter etc.) in section 94(1)(a) omit "commercial or retail premises" and insert "premium other than dwellings".

New clause 38—*Protection of businesses and non-domestic users of buildings from complaints*—

'(1) The Environmental Protection Act 1990 is amended as follows.

(2) After section 80(2) insert—

2AA (1) Except that a local authority must not issue an abatement notice to a business, place of worship or other non-domestic user of land for a statutory nuisance falling within section 79(1)(g) if the following conditions are met.

(2) The first condition is that the relevant premises was already in use for the same purpose at the time when the complainant became a local resident, and that such use resulted in a similar noise, and a similar level of noise, at that time.

(3) The second condition is that use of the relevant premises complies with the planning permission for that land and other legislation in force.".'.

New schedule 1—'*Disestablishment of an arm's length management organisation*—

1 This Schedule applies to the disestablishment of an arm's length management organisation (ALMO) by a local authority as a result of which responsibility for the management for housing previously managed by the ALMO is transferred to the local authority.

2 (1) The Secretary of State shall not entertain an application for his or her consent to the disestablishment of an ALMO and a transfer of management to which this Schedule applies unless the authority certify either—

(a) that the requirements of paragraph 3 as to consultation have been complied with, or

(b) that the requirements of that paragraph as to consultation have been complied with except in relation to tenants expected to have vacated the dwelling-house in question before the transfer;

and the certificate shall be accompanied by a copy of the notices given by the authority in accordance with that paragraph.

(2) Where the certificate is in the latter form, the Secretary of State shall not determine the application until the authority certify as regards the tenants originally consulted—

(a) that they have vacated the dwelling-house in question, or

(b) that the requirements of paragraph 3 as to consultation have been complied with;

and a certificate under sub-sub-paragraph (b) shall be accompanied by a copy of the notices given by the authority in accordance with paragraph 3.

Requirements as to consultation

3 (1) The requirements as to consultation referred to above are as follows.

(2) The authority shall serve notice in writing on each tenant informing him or her of—

(a) such details of their proposal as the authority consider appropriate, but including the identity of the person to whom the transfer is to be made;

(b) the likely consequences of the transfer for the tenant, and

(c) the effect of the provisions of this Schedule and informing the tenant that he or she may, within such reasonable period as may be specified in the notice, make representations to the authority.

(3) The authority shall consider any representations made to them within that period and shall serve a further written notice on the tenant informing him or her—

(a) of any significant changes in their proposal, and

(b) that the tenant may within such period as is specified (which must be at least 28 days after the service of the notice) communicate to the Secretary of State his or her objection to the proposal,

and informing him or her of the effect of paragraph 4.

(4) When a notice has been served under sub-paragraph (3) the authority shall arrange a ballot of the tenants in accordance with sub-paragraph (5) to establish whether or not the tenants wish the transfer to proceed.

(5) The authority shall—

(a) make arrangements for such person as they consider appropriate to conduct the ballot in such manner as that person considers appropriate; or

(b) conduct the ballot themselves.

(6) After the ballot has been held the authority shall serve a notice on each tenant (whether or not he or she voted in the ballot) informing the tenant—

(a) of the ballot result; and

(b) if the authority intend to proceed with the transfer, that the tenant may within 28 days after the service of the notice make representations to the Secretary of State or (as the case may be) the Welsh Ministers.

Consent to be withheld if majority of tenants are opposed

4 (1) The Secretary of State shall not give his or her consent if the result of a ballot arranged under paragraph 3(4) shows that a majority of the tenants of the dwelling-houses to which the application relates who voted in the ballot do not wish the transfer to proceed; but this does not affect his or her general discretion to refuse consent on grounds relating to whether a transfer has the support of the tenants or on any other ground.

(2) In making this decision the Secretary of State may have regard to any information available to him or her; and the local authority shall give him or her such information as to the representations made to them by tenants and others; and other relevant matters, as he or she may require.'.

Government amendments 221, 222, 224 to 252, 256, 257, 259 to 262, 267 and 268.

Andrew Stunell: The Bill brings forward a package of reforms to social housing. Taken together, they strengthen localism, giving greater flexibility to local authorities

[Andrew Stunell]

and to social landlords in providing the needed housing and the right basic safeguards for tenants. The provisions will allow landlords to make better use of resources, allocating existing homes more sensibly, making sure that support is better focused and providing the right basic safeguards for tenants.

The Bill's provisions include: giving back to local authorities the freedom to determine who should qualify to go on the housing waiting list; new flexible tenancies in addition to, rather than replacing, secure and assured tenancies for council and registered social landlord tenants; flexibility to meet the homelessness duty with an offer of accommodation in the private rented sector; and, perhaps most popular of all, replacing the unpopular housing revenue account subsidy with a devolved system of self-financing.

New clause 19 relates to that, ensuring that the Secretary of State may continue to enter into agreements with local authorities to determine that specified new homes be exempt from the requirement that most of the receipts from any sale under the right to buy should be surrendered to central Government. This will help remove obstacles to local authorities investing their own resources in new homes. To be clear, new clause 19 preserves an existing relaxation in the rule that requires 75% of receipts to be paid to the Treasury in certain circumstances.

The Government are also taking the opportunity at this stage to make technical improvements with regard to flexible tenure and succession, which I would like briefly to outline. Amendments 202 and 203 exclude shared ownership leases from the landlord repairing obligation, in line with established practice and policy.

Amendments 191 to 201 are needed to rectify drafting errors in clauses 134 and 135, which deal with succession rights. They clarify the original intention that where there has not already been a succession, someone who is not a spouse or partner can succeed where there is an express term in the tenancy agreement to allow it.

The Opposition have tabled a number of amendments. Proposals for social housing reform proved to be one of the more contentious areas of the Bill in Committee, with strongly held views often reflecting points of principle. That is reflected in Opposition amendments 13 and 14 as well as in amendments 271 and 272, which would remove flexible tenure in the one case or, frankly, make it unworkable in the other. There have been some misunderstandings over points of detail, so it would be good for me to address them.

Simon Hughes: Before my hon. Friend deals with that, will he put it on the record that nothing in the Bill changes the status of any person who is a tenant in a local authority home or a housing association social home in England in respect of security of tenure? Will he also confirm that nothing in the Bill will require any local authority or any social landlord to change that policy in future—in other words, that the Bill is enabling, not prescriptive, in that respect?

Andrew Stunell: My right hon. Friend is right on both counts.

Let me begin by saying that, as I ended up summing up a two-hour debate in 16 seconds yesterday, I hope the House will forgive me if I do my summing up at the start of today's debate.

There are some concerns that I think any sensible observer of the social housing market understands and shares. The current market does not work as well as it could. The right hon. Member for Don Valley (Caroline Flint), the shadow Secretary of State, made that point herself when her party was in government, and the facts speak for themselves. There are about 5 million people on the social housing waiting list, and a quarter of a million overcrowded households already in social housing. At the same time, there are 400,000 homes in the social housing sector in which more than one bedroom is under-occupied.

Ms Karen Buck (Westminster North) (Lab): Will the Minister make it clear what the disparity between overcrowded and under-occupied properties actually means? Is it not the case that overcrowded accommodation is overwhelmingly concentrated in London and the south-east, while under-occupied property is almost wholly concentrated in the north of England? How does the Minister expect those two types of stock to be matched under his proposals?

3.30 pm

Andrew Stunell: I have news for the hon. Lady. As one who represents a constituency outside London, I can tell her that I see both problems. In the last two months, I have been contacted by a family with three teenagers living in a two-bedroom house who have little chance of being allocated a larger house in the near future. Meanwhile, many older people, widowed, are under-occupying large three-bedroom houses. I appreciate that, as is often the case, London presents a special set of problems, but I do not want the hon. Lady to get away with the mythology that this particular problem does not affect every constituency. People visit the surgeries of all Members to discuss it. I hope that the hon. Lady is not seeking to sweep that under the carpet.

Ms Buck: The Minister may wish to respond to a statistical point anecdotally, and of course it is true that there are individual examples of both problems in almost every constituency and part of the country. However, will he confirm for the record that it is statistically the case that the bulk of under-occupation is concentrated in the north of England while most overcrowding is concentrated in London and the south-east? Nothing that we have seen so far in the Bill explains the mechanics of how it will deal with the problems of overcrowding in the south-east and under-occupation in the north without the need for large numbers of people to be moved.

Andrew Stunell *rose—*

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am sure that the Minister wants to answer that question briefly, but I think that any further interventions should relate directly to the new clauses and amendments.

Andrew Stunell: Thank you for your guidance, Mr Deputy Speaker. I would have been tempted to talk about our housing investment programme and the impact that our affordable rents policy can have on the securing of new affordable accommodation, particularly in areas with high rental values, of which London and the south-east is an outstanding example, but as you—

Mr Deputy Speaker: Order. I think the Minister is pushing his luck. As he knows, he will be summing up the Third Reading debate as well. I think that if he sticks to the new clauses and amendments from now on, everyone will be happy.

Andrew Stunell: Thank you, Mr Deputy Speaker.

The housing measures in the Bill will provide greater discretion for social housing landlords and their professional staff. They will relax the rigid rules set by central Government in the past, and together they will allow landlords to exercise greater discretion, adapt the services they offer to local needs, and manage a valuable public resource more effectively in the best interests of local people.

I recognise that flexible tenure and the proposals to deal with homelessness have caused the most concern to date. Let me repeat what I said in Committee. In the vast majority of cases in which a social landlord offers a flexible tenancy, we will expect that tenancy to be for at least five years. It will often be appropriate to provide longer—in some instances, lifetime—tenancies. If an elderly lady is offered sheltered accommodation or a bungalow, any sensible landlord will doubtless provide a lifetime tenancy. However, if that family in my constituency with three teenagers in a two-bedroom house are finally allocated a three-bedroom house, it surely makes sense to give them a 10-year tenancy, subject to renewal. After 10 years, when the children are in their twenties and have probably left home and the family's circumstances have changed, they will have had time enough to decide whether that is the accommodation they want.

Alison Seabeck (Plymouth, Moor View) (Lab) *rose*—

Andrew Stunell: I will give way, but then I must make some progress.

Alison Seabeck: Does the Minister not accept that the situation he describes will end up involving an amazingly complex series of different tenures and rents, which will be a nightmare for housing providers to manage, and that it will clearly lead to the system stagnating at times and being hugely unfair?

Andrew Stunell: Of course I do not accept that. A housing provider who decides that this is too complex can choose not to take it up. As has been said, we are offering social landlords an additional way to let tenancies, and they can choose whether or not to take it up. They can base that decision on any sensible factor, including their administrative convenience. We propose that five years should be the minimum term in normal circumstances. We would expect it to be appropriate to offer less than five years only in very exceptional cases, and we have stated in the Bill a two-year lower limit.

Mr Raynsford: The Minister has said he would like the five-year limit to be the normal minimum, with shorter terms only in very exceptional circumstances. Will he therefore tell us why the Bill does not state that, and why he is proposing to vote against the Opposition amendment proposing that five years should be the normal minimum term?

Andrew Stunell: Yes of course I will, although I will take just a few minutes to reach that point in my remarks.

I want to put clearly on the record again that our proposal does not affect any existing tenant, even if they swap or transfer their home, and even if the person they swap with has a flexible tenancy. Our current system for social housing is not working as well as it can and should. A one-size-fits-all approach to social tenancies does not take account of the different needs of both individual tenants and local communities. A more flexible approach is essential.

Andrew Percy (Brigg and Goole) (Con): May I take the Minister back to the scenario he was describing of a family who move into a three-bedroom house until the children leave, perhaps to go to university or because they get jobs? I am a little confused as to what exactly will happen. After the children have left, will a housing officer turn up and tell the parents that they should move out of the property? Based on my experience as a councillor, this is what currently happens in such situations: a housing officer goes to the three-bedroom house to visit the person—often an elderly lady—and has a conversation with them about perhaps moving to a smaller property, but they may well choose not to do so, because that is their home.

Andrew Stunell: Under our proposals, gradually over a period of time there will be a more diverse pattern of tenancies for new tenants. There will not be a wholesale shift to short-term tenancies however, and social landlords have clearly indicated that they will remain focused on maintaining sustainable and cohesive communities and providing appropriate periods of stability to tenants.

Andrew Percy: Will the Minister give way again?

Andrew Stunell: Just give me a moment.

Clive Efford (Eltham) (Lab): Give an answer.

Andrew Stunell: I will give an answer, but I thought it might be useful to give a complete answer, rather than a partial one.

The provisions already in the Bill and our proposals for a new tenure standard will be binding on every social landlord, and they contain important protections for tenants. Under the new system, the regulator will set a tenure standard, the local housing authority will have to develop a housing strategy, and the registered provider will have to publish a tenancy policy. That policy will be drawn up in consultation with tenants, and landlords' decisions on allocating tenancies will have to be in line with it. A landlord's decision to end a tenancy will be subject to appeal—that is in the Bill—and if the appeal is unsuccessful and the tenant is not satisfied, possession can only be granted by a court So such a process can never come as a surprise to a tenant. They will have taken that flexible tenancy knowingly, in advance of moving in. If, at the point when the tenancy is being allocated to them, they do not wish to accept the terms and they think them unreasonable, they can ask for a review of that tenancy before they start. They will be taking up any flexible tenancy knowing that it is flexible and knowing what the procedures will be subsequent to their doing so.

The Government have made it clear that we intend that the tenure standards, which the regulator sets out, will include the guidelines that cover all these matters. It

[Andrew Stunell]

is a little perverse that the Opposition's amendment 363 would take away the Secretary of State's power to issue instructions to the regulator to cover those tenure and mobility standards.

Brandon Lewis (Great Yarmouth) (Con): Will not one of the results of this change be that local authorities such as mine in Great Yarmouth will have much more flexibility to manage the housing stock? That will ensure that they do not have problems with the situation that has been outlined, where people who need a one-bedroom property are in a three-bedroom property and families, including the ones I deal with in my casework all the time, cannot get into properties because they are not available. People are being blocked out and this flexibility will allow local authorities to have better management across their housing stock, which will benefit residents in each area.

Andrew Stunell: The hon. Gentleman is right.

This process is not going to be an instant event and a miracle cure; it will happen only as re-lets take place and only then when a social landlord decides that it wants to implement flexible tenancies for some or perhaps all of its tenancies. At the current national rate of turnover, which is about 5% a year, the evolution of this will be slow. Gradually, it will lead to a better match between the needs of tenants and the housing available for them.

Mr Andy Slaughter (Hammersmith) (Lab): The Minister is doing a very good Pontius Pilate impersonation. He is saying, "I'll wash my hands of it and we will leave it to others." But he is leaving it to authorities such as Hammersmith and Fulham council or Notting Hill Housing, the second biggest social landlord, which have both said that they will opt for the minimum possible terms for all tenants, including the elderly and the disabled. What he is allowing as a Liberal Democrat Minister—if that means anything—against what many Liberal Democrats are arguing in constituencies such as mine, is the removal of all the security that people, including the elderly and the disabled, have come to depend on. Will he not take a stand on this issue?

Andrew Stunell: The hon. Gentleman has not been listening, and that is perhaps not unusual. We are setting tenure standards that the regulator will be imposing, if that is the correct word, and to which local housing authorities must have regard in creating their borough-wide housing strategies. In other words, there will not be a completely unregulated market and his fears are grossly overstated.

Andrew Percy: Of course one person's flexibility is somebody else's inflexibility—in this case, we are talking about the authorities and, potentially, the tenant respectively. Will the Minister confirm that he is saying what I think he is saying? Let us suppose that somebody has secured a flexible tenancy while their children are living with them and those children then leave home. Is it possible that such a person could find themselves in court and being thrown out of their home because a local authority wants the house back? Is that honestly the situation that we are creating?

Andrew Stunell: No, someone's fixed-term tenancy is subject to review at the end of the term. There is no automatic eviction; the tenancy is subject to review and the—

Nic Dakin (Scunthorpe) (Lab): Will the Minister give way?

Andrew Stunell: I will when I finish the sentence, if that is all right.

The tenure standard will prescribe what local housing authorities can and cannot include in their housing strategy—*[Interruption.]* At the moment, as the Minister for Housing and Local Government is correctly prompting me, we have ever-growing waiting lists, with people unable to access the accommodation that they desperately need. This is a step towards dealing with that problem. It is not the only step and it will not be a quick step, but it is an important step towards the better allocation of housing.

3.45 pm

Ms Buck: Going back to the Minister's assurances that landlords will not adopt the minimum standards of tenancy and that the approach will be regulated, how does he explain the fact that Notting Hill Housing wrote to everybody in my constituency on the homeless waiting list saying that from 1 April it would immediately adopt short-term tenancies at the lowest number of years permissible?

Andrew Stunell: Fortunately, I do not have to take responsibility for the actions of that body—[HON. MEMBERS: "You do!"] Let us be quite clear that letters can be sent out by anyone to anyone saying anything. However, they are enforceable only if they are consistent with the tenure standards set by the regulator and with the housing strategy derived from them. Registered providers will need to have in place a tenancy policy that is published and drawn up in consultation with tenants. It sounds to me very much as though the letter to which the hon. Lady refers has been sent in advance of any of those things being in place. It is therefore of no value or significance other than that it does something that concerns me a great deal about our debate on this issue: that is, it serves to whip up misunderstanding and fear among existing tenants that in some way they might be affected by these new proposals. That is absolutely not the case.

Nic Dakin: I thank the Minister for giving way, as he is being very generous. I think the answer to the question from my constituency neighbour, the hon. Member for Brigg and Goole (Andrew Percy), is that clearly somebody who has had a 10-year tenancy and brought up their family can find that when their circumstances change they lose their home. These are homes that people invest in; they are not simply utilitarian houses.

Andrew Stunell: No, that is not correct. Let us be clear that the tenure standards will provide specific protection for the vulnerable. We have already said that in our response to the consultation, and the consultation responses themselves show that the vast majority of landlords will provide longer terms.

Mr Clive Betts (Sheffield South East) (Lab): Does the Minister have any practical examples? He has talked about long waiting lists for family houses, but there are actually long waiting lists for pensioners' accommodation, too. If a couple in their 60s, whose children have left home, were on a flexible tenancy, the local authority could ask them to move. If no pensioner accommodation was available, as bungalows are in very short supply in many areas, that couple could be forced to move into a block of flats where the majority of people were young single people or young couples with a completely different lifestyle. Is that the sort of situation that he envisages? If not, will he say precisely where in the guidelines it states that the regulator will stop a local authority or housing association doing that?

Andrew Stunell: The tenure standards will set that out, the housing strategy of the local housing authority will reinforce it and the tenancy policy of the provider, if it is not the housing authority itself, will also set it out.

I want to make some progress and move on to a second issue that is, I know, of real concern to Members: the provisions on homelessness. Much of the debate on our homelessness proposals started off from the proposition that landlords of private rented property are a rogue sector and incapable of offering decent quality accommodation to those families who might benefit from it. I made it clear in Committee, as has my right hon. Friend the Minister for Housing and Local Government on a number of occasions, that the draft legislation includes a number of safeguards that together provide reassurances that an offer of private accommodation would be made only when it is reasonable to do so and when the accommodation is suitable for the needs of the household.

It is important to go back to why we are making the changes in the first place. It is not because we want to make the plight of homeless families worse, but because we want to make their situation better. In London, the average stay in temporary accommodation of resettled homeless families before they get a permanent offer of social accommodation is two years. The impact of that time on schooling, quality of life, health and stress is not acceptable and needs to be tackled. I agree with the hon. Member for Westminster North (Ms Buck) that this probably is not a countrywide problem, and I suspect that my hon. Friend the Member for Burnley (Gordon Birtwistle) does not have the problem, because he has 2,500 empty houses to begin with, but in places of high housing stress it is a real problem. That is why we are making these proposals.

In Committee and elsewhere, hon. Members have raised a number of concerns about the homelessness measures. Some of those focused on standards of accommodation in the private rented sector, the interplay that there might be with housing benefit changes and related issues of affordability. There were also concerns about the location of those private rented sector homes, and whether there might be some loophole in creating intentional homelessness. I want to respond to each of those points in due course.

Mr Slaughter: Before the Minister moves on, will he deal with two points regarding what he has said so far? First, how is it an improvement to go from an average two-year wait for permanent accommodation to never getting permanent accommodation and staying perpetually in the private rented sector? Secondly, I assume, but will he confirm this on the record, that in his definition of "suitable" he also means "local"? The biggest issue for my constituents is being placed far away from their friends, family, schools and jobs, outside London, based on the excuse of the cost of property. If that is for two years, it might be sustainable, but if it is for ever it will not be. Will he deal with those two points?

Andrew Stunell: Yes, I certainly will. I hope that the hon. Gentleman does not mind if I do so in sequence, but I will respond.

We need to keep a realistic view of the private rented sector and the impact of welfare reform. I recognise that there are some concerns and I am prepared to consider further the need for additional protections for homeless households placed in the private rented sector. The Secretary of State already has powers to set out in secondary legislation the circumstances in which accommodation is or is not to be regarded as suitable and to specify other matters that are to be taken into account or disregarded when determining suitability. I am prepared to consider using those powers for the provision of additional protections on standards of accommodation or other matters.

Diligent readers of the Bill will know that there are already important safeguards. Any offer has to have regard to the health and welfare of the tenant, social impacts and affordability for the tenant. Existing legislation is already clear that any loss of income outside the control of the tenant cannot create intentional homelessness. That would be unintentional homelessness and so the duty to deal with that situation would remain with the local authority. The accommodation has to be suitable, or fit for purpose. On the point that the hon. Member for Hammersmith (Mr Slaughter) made, existing housing legislation says that as far as the local housing authority is concerned location must be in the local district so far as is reasonably practicable.

Ms Buck: I am grateful to the Minister, who is being extremely generous in giving way. In central London, which is obviously important to me as a central London MP, the changes in housing benefit mean that only 7% of the entire central London broad market rental area for housing benefit or local housing allowance purposes will be accessible to individuals on that benefit. How then can any central London authority obtain accommodation, as a reasonable discharge of duty, in the private rented sector when there is no accommodation to be obtained?

Andrew Stunell: The hon. Lady speaks of 7%. That was her figure; I do not know whether it is exactly right, but a proportion of the rental market will be affordable. Those who are in temporary accommodation in her borough or whose homelessness arises in her borough are being shunted around. We want to end that regime and have people permanently established in their borough in accordance with the legislation. We believe that our measure will achieve that.

Stephen Gilbert (St Austell and Newquay) (LD): My hon. Friend seems to suggest that there are protections in the Bill already for people discharged into the private rented sector, but there is a role that secondary legislation can play. When I pressed the point in Committee, in the context of the viability of a national accreditation scheme for landlords to ensure standards—not just in

[Stephen Gilbert]

relation to suitability and size, but taking account of the types of lease offered and whether repairs are done in a timely way—the Government did not seem keen to pursue it. If that already exists de facto, can it not be brought together in a legal sense?

Andrew Stunell: My hon. Friend makes an important point, which he made in Committee. As he knows, there are a number of local accreditation schemes and in some boroughs it is a requirement that the landlords of tenants who receive housing benefit in their area are members of an accreditation scheme of one sort or another. I will take stock of his point. The Government are not minded to introduce a national scheme, but there may be aspects that he is rightly drawing to our attention for further consideration.

Simon Hughes: I was reassured by my hon. Friend's words about the Government's intention that people should not have to move outside the district or community. The Secretary of State for Work and Pensions has given a similar reassurance. There is particular concern in Greater London because of the acute pressure on property, property prices and so on. I am sure my hon. Friend is aware that his right hon. Friend has agreed, together with, I hope, the responsible Minister at the Department for Work and Pensions, Lord Freud, to meet to see whether, across parties and with the Mayor of London, the housing associations and local authorities, the remaining concerns can be alleviated. I hope my hon. Friend and his colleagues will give full assistance to that measure as the Bill proceeds from this place to the other end of the building.

Andrew Stunell: Yes. Perhaps my words were a little too opaque a little while ago when I said that we are prepared to consider the need for additional protections for homeless households. Clearly, what my right hon. Friend has just set out forms part of that process.

Ian Mearns (Gateshead) (Lab): Two unitary county councils have been established in the north-east of England in the recent past which are now the housing authorities. The right of a tenant to stay within the housing authority area becomes meaningless in the context of a county that provides housing, because the county can be 40 or 50 miles from border to border. If no housing is available in the immediate neighbourhood, the right to stay within the county means that a tenant may have to move many miles away.

Andrew Stunell: I take stock of what the hon. Gentleman says. My hon. Friend the Member for St Austell and Newquay (Stephen Gilbert) might want to make a similar point. Perhaps that is one for us to consider more fully.

The existing legislation requires local housing authorities to locate people within their district so far as reasonably practicable. The homelessness code of guidance sets out all the factors that it is right and appropriate for housing authorities to take into account. Those of us who see real life at constituency level know full well that when those families eventually get their social housing offer, it is seldom in the plum house on the smart estate. It is more likely to be the bottom flat in the hard-to-let block on the least desirable estate in town. I hope we do not have a starry-eyed vision of social housing, when compared with the private rented sector, that blinds us to the essential reality we are trying to tackle, which is that the average stay in temporary accommodation for homeless families in London is two years. That is unacceptable and this reform puts us on the way to ending it.

4 pm

Sheila Gilmore (Edinburgh East) (Lab): Does the Minister not agree, however, that for many people the attraction of the housing association or council sector is security of tenure and the fact that they can settle, rather than living in the private rented sector, where they will always have a sword hanging over their head because the landlord may decide to end the tenancy at any moment? It is not just about the relative qualities of the properties, but about people's sense of security.

Andrew Stunell: I understand the hon. Lady's concern, but I think that it undervalues the history of tenants in the private rented sector. There is certainly a lot of churn, but there are also many people who spend long periods in very successful private rented sector accommodation. We must be careful not to generalise and should recognise that, if there is a need as a result of a tenancy breaking down, the duty on the authority to deal with that situation remains in the Bill and is part of the protection that tenants have.

Dan Rogerson (North Cornwall) (LD): Does my hon. Friend agree that the Government could perhaps do a little more to look at other ways of encouraging the private sector to offer longer tenancies—for example, through more work on real estate investment trusts—so that people can invest in property in a way that is more long term, rather than having buy-to-let properties with one or two landlords, which I think is the sort of thing that concerns Opposition Members? That might offer some assistance and I would like the Government to do more on that.

Andrew Stunell: Yes, I entirely agree that there is scope for innovative solutions. It is by no means the Government's position that in a majority of cases it will be appropriate for social landlords to follow this route, but where it is clear that there is an obvious disadvantage to tenants who are stuck in the temporary accommodation loop, it is surely right to take steps to deal with that more effectively, and I hope that the House will agree.

The homelessness code of guidance provides that the location of accommodation will be relevant to the suitability of the tenancy and that the appropriateness of the location relates to all members of the household, who must all be considered. Employment, schooling, and family and social connections are all relevant matters that will be taken into account.

New clause 3 and new schedule 1 relate to changes in the governance of arm's length management organisations, and I hope that I can be helpful to hon. Members as far as that is concerned. New clause 3 would oblige all councils with ALMOs to undertake a statutory ballot of their tenants and seek the consent of the Secretary of State before an ALMO can be closed down. I have listened to the comments that have been made and read the amendment and the briefing from the organisation. I am sympathetic to a number of the arguments put forward, particularly the need to protect tenants and have a consistent consultative model for ALMOs in cases where local authorities are minded to change their status and take them back in house.

For those councils that hold a ballot before establishing an ALMO, it seems reasonable that they should hold a ballot when they are minded to wind up such an organisation. I understand that of the 61 ALMOs that are currently extant, around 30 were formed following such ballots. The principle of "ballot in, ballot out" does not seem a bad one to hold on to. For those councils that did not hold a ballot, our departmental guidance already stipulates that they should consult widely with tenants before an ALMO is wound up. It does not stipulate what specific format the consultation should take. I have asked my officials to look again at that guidance and the options for strengthening it so that all tenants can be assured of their rights.

Stephen Gilbert: I welcome the commitment to "ballot in, ballot out" in the disestablishment of ALMOs, but the principle should be to give the 50% or so of ALMOs that are left—the 30 to which my hon. Friend referred—as much power as possible to set their own destiny, rather than being buffeted about by the will of the local authority. May I strongly impress upon my hon. Friend the fact that a ballot for all ALMOs seeking disestablishment would be very welcome?

Andrew Stunell: I understand that that would be very welcome, but at the moment I am not convinced of the need for councils to follow that rule. I remind my hon. Friend that ALMOs are completely the creatures of local government, but the tenant participation in ALMOs is a positive feature. The ALMO covering my constituency works well and is well regarded, but even so it is a matter for the local authority. It is not appropriate for a Minister or the Secretary of State to get in the driving seat, but it is right for us to give careful consideration to the guidance, particularly on the ballot point.

Mr Betts: I follow the hon. Member for St Austell and Newquay (Stephen Gilbert) in his request for a ballot in all cases, because that would give us the security of a proper consultation. Changing so fundamentally the management of a tenant's home is almost as important as changing its ownership, and we should give weight to that. If the Minister is not prepared to go that far, but is simply going to look at "ballot in, ballot out", which at least would be a step forward, and again at the guidance on consultation, will he have a real look at how the guidance might be underpinned statutorily so that, before an ALMO is allowed to be changed and moved back into a local authority, the Secretary of State can insist that real consultation takes place and tenants' views are listened to? That does not happen at the moment.

Andrew Stunell: Yes. It is important that we review the guidance—I just said that we should do so—and it would be an unusual local authority that disregarded it. I undertake to reflect further on the best way forward, and I hope that my hon. Friends and the hon. Gentleman feel that that is a step forward which allows them not to press their amendments today.

My hon. Friend the Member for Manchester, Withington (Mr Leech) has tabled new clause 26, which relates to a specific situation for fully mutual housing co-operatives. By a quirk of the legislation, they are caught by the houses in multiple occupation requirement for licensing and, sometimes, planning permission. The Department has been lobbied by the Friendly Housing Action campaign group to secure an exemption for fully mutual housing co-operatives, and I am very sympathetic to the campaign, as such organisations were never intended to be caught by the licensing provisions.

We have to be careful to ensure that in granting an exemption we do not inadvertently allow other categories to slip through the loophole, so I am asking for further advice on how we might achieve that. I hope to return to the issue at a later stage, so I hope that my hon. Friends will not feel the need to press new clause 26 to a Division.

I thank the hon. Member for Plymouth, Moor View (Alison Seabeck) for new clauses 25 and 24, which she and her hon. Friends have tabled. They both relate to cases in which courts made decisions that the common-sense man would not have expected. New clause 25 refers to a situation in which the housing allocation scheme was perverted—I think that is the right word—by an officer, and consequently the courts decided that, because of the nature of the current legislation, it was not possible to recover the properties that had been misallocated. I am certainly minded to take some steps in the right direction. The Secretary of State for Communities and Local Government recently launched a 10-point plan for tackling council fraud, and that included vetting staff. I hope that that means that it is very unlikely that the situation will recur, but we are going to look at how we might move forward. On a rather significant technical point, the place where Opposition Members have chosen to insert the words means that the provision would apply only to Wales; I suspect that that is not what they really meant to do.

New clause 24 deals with a situation where a death was concealed at the transfer of a tenancy and therefore a vital time line was missed and it then proved impossible to correct that. The new clause changes the time limit restrictions so that when a local authority seeks to repossess a property, the date at which it became aware of the change in circumstances, rather than the actual date of the circumstances, will be relevant. I fully accept the point drawn to our attention. We will explore the issue in more detail and talk to various local authorities and representative bodies with a view to tabling a Government amendment in the other place. I hope that the hon. Lady feels that that is a helpful way for us to proceed.

I cannot be so consensual on other amendments tabled by the Opposition. I do not want to detain the House unduly, but I must say that we have a considerable mixture of amendments of one type or another, to which I will perhaps respond in my final 16 seconds, if that is how it turns out. Some of them are direct negatives of our proposals in the Bill, some are wrecking amendments to one degree or another, and some are quite seductive in their tone, if not their impact. Several of them duplicate safeguards that are already in the Bill or even in legislation as it has stood for some time.

Some of the amendments seem to be based on an Opposition view that social landlords are even worse than they think private landlords are, with their principal business being to get people out of their homes as quickly as possible. Of course, that is not the primary

[Andrew Stunell]

purpose or intention of social landlords, which is to provide suitable accommodation for those who need it, as will continue to be the situation in future. Other amendments seem to be more about whipping up misunderstanding among vulnerable families than about making a contribution towards solving the heartrending problems of homelessness.

I urge hon. Friends and other Members to support the Government's sensible and thoughtful proposals and to reject the many temptations offered by the Opposition.

Alison Seabeck: I repeat the declaration I made at the start of the Public Bill Committee, which is on the record.

I thank all those involved in Committee proceedings on this large and extensive Bill, including the two very patient Chairs, my hon. Friend the Member for York Central (Hugh Bayley) and the hon. Member for Southend West (Mr Amess). Although we had well-informed discussions in Committee—Members on both sides of the House are to be commended—I am left with the feeling that we could have done with significantly more time to debate the issues.

Yesterday, the Minister started by saying that the Committee was consensual—not so on the housing proposals, I am afraid. We debated more than 40 amendments and new clauses on this part of the Bill, and not one was accepted by Government Front Benchers. Although I welcome the moves that the Minister has made today on a couple of our proposals, I do not get a sense that he is giving any ground. Indeed, having listened to his speech and responses, I think he is rather digging in; of course, that is his prerogative.

The Opposition cannot let these proposals go unchallenged. I will therefore speak to amendments 269, 270, 273 to 276 and 360, new clauses 24 and 25, and amendments 13, 14, 271, 272, 277 and 278, which stand in my name and those of my hon. Friends. I flag it up at this stage, given that the Minister has not astounded us with a number of U-turns, that we will press for votes on amendment 13 on flexible tenancies and on amendment 271 on security of tenure.

4.15 pm

New clause 19, which will allow local authorities to keep capital receipts relating to right-to-buy sales, is welcomed by the Opposition, although we would like to see more detail. We understand that it involves the removal of the ring fence around the proceeds from sales of land or property in that account. That raises the concern that that money could be moved away from meeting housing need.

The Government's proposals on housing and homelessness are deeply damaging, and none more so than the proposal to end security of tenure in social housing. That will create two classes of tenant in social housing. There will be great uncertainty, because there will be different lengths of tenure and different levels of rent, with little rational relationship between the two. There will be a divide between those who have been fortunate enough to get security of tenure in their social housing, and those who have been made to wait for too long and will be granted a tenancy for as little as two years. Tenants whose financial circumstances improve above an arbitrary level will potentially be told to pack up and move on.

As a result of the complexity of the system that is being brought forward, which will be a bureaucratic nightmare, a household in a three-bedroom house could pay less rent and have greater security than a household next door in a two-bedroom flat. Frankly, that will be divisive. We all have people who come to our constituency surgeries and say, "We don't understand why so-and-so has higher priority than me." These proposals will add a further layer to that and will be problematic.

We heard in the run-up to the announcement on the military covenant—I digress a little, but this is housing-related—about how difficult it is for military families to have to move every couple of years. That often happens and I see it a lot at the naval base. Only this week in questions, the Under-Secretary of State for Defence, the right hon. Member for South Leicestershire (Mr Robathan), said that he had spoken with the Minister for Housing and Local Government on this issue. The Under-Secretary has said in the past that this instability is unacceptable and that soldiers, sailors and airmen need and deserve help to protect the stability of their families' homes and education.

However, the message from the Department for Communities and Local Government to all families in social housing is, "Get a better job and you will lose your home. Invite your partner to move in with you and start a family, and you will put your home at risk." At a time when we want people to do their best to get on in life, and to build something better for themselves and their families, this is the wrong policy. Labour will stand up for people who strive and who put the hours in to better their lot. What will happen to people who fall foul of the new Tory rules and are told to leave their council or housing association home simply because they have worked hard, if they subsequently lose their job or fall ill and are unable to work? What will their entitlement be then? They will go to the back of the queue and start all over again. Where is the incentive to work and where is the fairness?

In Committee, we received a powerful submission from a young woman called Jessica Sim, who lives in social housing. Her experience will be mirrored by many other tenants. She said:

> "To get an affordable secure home was a great incentive to pursue my career. I also spent a great deal of time and money improving my council home and garden…and getting involved in my community association to improve the area, knowing that we could stay."

She went on:

> "What if the people who are kicked out lose their job or get fed up being hardly better off working? Back on housing benefit, back in the queue, the bill will be enormous. Families have a better chance if they have a secure place to live. Moving people on does not solve a shortage of housing."

She rightly identified that to solve the housing crisis, the Government need to build more homes. Their policy seems to be aimed at trying to solve the shortage of social housing by allowing everyone a year or two in a social home before moving them on. Ministers seem to have failed to realise that to house people we need not to give them shorter tenancies but to build homes.

What will be the consequences of that policy of limiting social housing so that it is not available to those who work hard to build something for themselves, or to those who invest in their homes and communities? What will happen when we reduce estates to being areas that people pass through at their most vulnerable point, and transitional communities of the most deprived? We will go back almost to the state of social housing in the first half of the last century, when access to it was limited by law to the "working classes". That term was only ever defined once in legislation, in paragraph (12)(e) of the schedule to the Housing of the Working Classes Act 1903, as those

> "whose income in any case does not exceed an average of thirty shillings a week".

In today's money, that would be an annual income of just over £7,000. Mean as the Government are, I do not expect them to set a threshold as low as that, which would make them comparable with Tory Governments of the late 19th and early 20th century. However, the message that their change will send is the same now as it was then: that social housing is for the poor. It is to segregate people from other sections of society that are seen as doing better.

It is more than 62 years since the House decided, without a Division, to accept that segregating social housing off for just one deprived section of society was entirely wrong. In that debate, Aneurin Bevan said—it is as true now as it was then—that it was

> "entirely undesirable that on modern housing estates only one type of citizen should live…that from one sort of township should come one income group and from another sort of township another income group…if we are to enable citizens to lead a full life, if they are each to be aware of the problems of their neighbours, then they should be all drawn from the different sections of the community".

The principle of mixed communities in social housing, in which the Labour party should take great pride, was welcomed at that time by the Tory Front-Bench spokesman, the Member for Hertford. He said:

> "It is, of course very desirable that the black-coated workers"—

administrative workers—

> "should not be shut out from the benefit of local authority housing accommodation."—[*Official Report*, 16 March 1949; Vol. 462, c. 2126-38.]

I am only sorry that the wisdom of Churchillian conservatism, such as it was, has not carried through to coalition Cameronism.

Sixty years on, the idea that this country is stronger when its communities are more diverse, and that its society is more cohesive when it comprises a broad and mixed swathe of people, is no longer supported by the Conservative party. Nor is it supported by the Liberal party, whose MPs did not oppose the measures in this Bill in Committee despite trying to raise their concerns by tabling amendments. They consistently withdrew those amendments without a vote. Just where is their fabled voice in government and their backbone? We still believe in mixed communities in social housing, underpinned by security of tenure, which the Bill targets so directly.

Ms Buck: Earlier, the Minister assured us that there would be regulations to protect secure tenants—he mentioned a period of five years and, I believe, used the word "scaremongering". May I share with my hon. Friend the letter from Notting Hill Housing that I mentioned, which I have now obtained? It states:

> "The Government have recently set out their plans for the future of social housing. Up until now, this has been known as permanent housing. New homes will be let with fixed-term tenancies for a minimum of two years".

It finishes:

> "Since permanent housing will no longer be available, these changes will affect everyone seeking housing from April 2011."

Does that not indicate that the Minister was completely wrong in the assurances that he gave?

Alison Seabeck: That is clear evidence of the case that we are trying to make. There is always a risk, when minimum standards are set, that eventually everybody will end up at that level. Clearly some people want to move more quickly than others in that direction.

Let us not forget that there is a stronger localist voice if a range of interests are represented in an area. Amendment 271 is intended to address the threat in the Bill to take security of tenure away from existing social tenants. That is something of a sore point for the Government, because the Bill represents just another broken promise. Before the general election, the now Prime Minister's spokesman was briefing the media that the Tory party had no plans to alter security of tenure. The Liberal Democrat manifesto said nothing on the subject, and the Housing and Local Government Minister spent only about 10 minutes in the Chamber on Report.

Clive Efford: Some of us who fought very hard on the issue of secure tenancies and the future of rents at the last election were accused of scaremongering and lying. The Conservatives' election manifesto explicitly states that they will

> "respect the tenures and rents of social housing tenants."

Ministers have made promises today on respecting the future of tenancies and rents, but how can we believe them when the Conservatives said that in their general election manifesto and wrote it off so soon afterwards in the coalition agreement?

Alison Seabeck: I entirely agree with my hon. Friend. During the general election, we fought and battled hard throughout the country to get those assurances from the Conservatives and Liberal Democrats, but they are now reneging on them. It is as simple as that.

Simon Hughes: I am very clear that secure tenancies are a good thing, that council housing is a good thing, and that housing association properties are often good things—they are not always as good as council properties. Will the hon. Lady confirm that the proposal does not affect secure tenants? Does she now accept that? Will she also confirm that the proposal affects people only in future, and that it gives discretion to local authorities? If there were any Government imposition on local authorities, I would not support the proposal for one second, but the proposal gives discretion.

Alison Seabeck: If the right hon. Gentleman will allow me, I shall address some of those points later in my speech. I find the Liberal Democrat position quite extraordinary.

[Alison Seabeck]

The Liberal Democrat manifesto said nothing on the issue, and as I pointed out, the Housing and Local Government Minister, who is, sadly, no longer in the Chamber—he obviously has more interesting things to do than listen to a debate on housing—said that

> "there is no chance of, or way in which, a social tenancy can be broken or changed for anybody already in council or housing association homes."—[*Official Report*, 28 February 2011; Vol. 524, c. 19.]

In November, I asked the Minister of State, Department for Communities and Local Government, the right hon. Member for Tunbridge Wells (Greg Clark) whether he would give me his personal guarantee that secure tenancy rights would not be changed. He gave a brief, direct answer: "Yes." If only the Bill that those Ministers now promote were consistent with their previous statements in the House.

The framework published by the Department is quite clear that tenancies will be secure only for tenants who have a secure tenancy before 31 March 2012. Therefore, tenants with a secure tenancy will lose their security if their family grows and they need to move to a larger home, or if a person wishes to downsize to a smaller home and the only properties available for re-let are offered on a flexible tenancy.

The Homes and Communities Agency is clear that the expectation is for both flexible tenancies and affordable rents in re-lets and new developments. In future, those families will have an absolutely impossible choice. Do they stay in a home that is no longer suitable for their needs, leaving them overcrowded but with the security they crave and a rent they can afford, or do they accept the move to a larger home, lose their security, and risk losing their home altogether if they are deemed no longer to meet the eligibility criteria for social housing, which could happen two years down the line?

Simon Hughes *indicated dissent.*

Alison Seabeck: The right hon. Gentleman sits there and shakes his head, but there are enough questions about this measure. The Minister had four goes at answering those points in Committee, but his answers were not entirely satisfactory. I urge the right hon. Gentleman either to abstain on Government new clause 19, or to come into the Lobby with the Opposition.

Simon Hughes: I appreciate that this is very serious and I am listening very carefully to the hon. Lady—I do not doubt her commitment. I am open to correction, but my understanding is that in the circumstances she describes, when somebody needs to move from a council home because their family has grown, it does not necessarily follow that they will be unable to be offered a secure tenancy where they go to. If Southwark council kept secure tenancies for all its council stock, people would move to a secure tenancy if they moved to another council property. Will the hon. Lady please at least accept that that option will be just as possible next year as it is this year?

4.30 pm

Alison Seabeck: The right hon. Gentleman makes a point about Southwark council, but evidence suggests that significant numbers of councils—largely Conservative councils, but no Labour councils—are already saying they want to introduce this proposal quickly. The system allows for discretion, but the evidence suggests that it will not be used, and that Hammersmith and Fulham, Westminster and other councils will simply say, "Sorry, no!" If someone chooses to move—the key point is the choice—they will probably find themselves with a higher rent and a shorter tenure. These proposals contain no guarantees and are inadequate, which is why we tabled our amendments. We need to consider the tenants. The council in Southwark could become a Conservative council in the future—

Simon Hughes: It's unlikely.

Alison Seabeck: Perhaps, but the point is that there is clearly an appetite among Conservative councils for making use of this provision, offering the minimum they need to and removing security of tenure from people who choose to move.

It is not a choice I would wish on any family, and it will create disincentives to move within the sector by throwing sand in the wheels. We need to make it easier for people to move within the sector, yet the Government's proposals will make it harder. If the Government press ahead and create this dog's breakfast of a flexible tenancy, we want them to stick to their promise not to break secure tenancy rights of existing tenants, even if they choose to move. I and my right hon. and hon. Friends raised this issue with the Minister in Committee during the stand part debate on clause 132. He revealed that the previous guarantees given by his ministerial colleagues were worthless, when he said that the decision on whether tenants would keep their security of tenure would rest with the discretion of the landlord, but that

> "if a tenant chooses to move to an affordable rent property, it is reasonable that discretion should be available to the landlord as to whether that remains in place".—[*Official Report, Localism Public Bill Committee,* 8 March 2011; c. 856.]

For us, that is simply not good enough. It does not retain security of tenure, and gives landlords a degree of flexibility that we think is negative for tenants. That is why we oppose it. I am disappointed that amid the 234 Government amendments and new clauses there is no amendment to match their rhetoric. That is why we tabled amendment 271. The Government might not be willing or able to stand up for the rights of existing tenants, but the Labour party certainly is.

Amendment 277 is similar to an amendment debated briefly in Committee at the end of a morning sitting. At the time, the Minister said that clause 134 was part of a cleaning-up exercise, to which I said we would leave things there and consider whether we needed to come back to the issue on Report. As the House of Commons Library rightly points out, the clause removes the statutory right of those other than spouses and partners to succeed to a secure tenancy. Currently, in the absence of a spouse or partner, the close relatives of a secure tenant who have resided in a dwelling as their only or principal home for 12 months prior to the tenant's death also have a right to succeed to the tenancy.

Our amendment would extend statutory succession rights beyond spouses and civil partners, to those who have acted as live-in carers for at least one year and siblings who have co-habited for at least one year. Carers contribute an enormous amount to society and to those—almost always close family members—for whom they care. We will all know of cases in our constituencies in which family members have moved into their parents' or other relatives' homes to act as carers. It is an act of love that can place tremendous strain on the carers, and the commitment it requires should not be underestimated. Nor, on a more transactional level, should the amount of money they save the Treasury be underestimated. Age UK, in its submission to the Bill Committee, wrote:

> "Given the contribution of carers, they deserve to succeed to a tenancy or have an offer of alternative social housing with a lifetime tenancy."

Andrew Stunell: Does the hon. Lady accept that the Bill will give registered landlords the opportunity to have tenancy agreements that allow carers to succeed to a tenancy even if they are not related to the person holding the original tenancy? The Bill will give landlords that flexibility for the first time, not take anything away.

Alison Seabeck: Yet again, this is all about discretion and saying, "Trust us." I am afraid that we would like to see something clearer in the Bill.

Live-in siblings are another group for whom there should be statutory succession. Once again, we can all look at our constituency experience. During the passage of the Civil Partnership Act 2004, the Conservative Front-Bench spokesman said:

> "It is profoundly unfair that carers and siblings who cohabit are disadvantaged on the death of one or other of them by being forced out of their home by their tenancy terms".—[*Official Report*, 12 October 2004; Vol. 425, c. 188.]

That legislation was the wrong place for that debate. This Bill is the right place, and our amendments would address the issue. Something else that ought to be addressed, and which we sought to address in Committee, is the right of unmarried couples. I am pleased that the Government seem to have shelved the idea of giving £2 a week—or whatever it was—to get married. However, the Bill gives newlyweds more succession rights to a tenancy than a cohabiting unmarried couple who have shared a home for decades, even when those newlyweds have cohabited for only a matter of days. That is not fair or appropriate. If passed unamended, clause 134 would not reflect modern family life for many families in Britain.

The Minister said in Committee that there was some tidying up to be done. I acknowledge that Government amendments 194 to 201 try to improve the provisions and address the succession issues. In so far as they represent a degree of Government movement since Committee, I welcome those amendments. I also welcome the Minister's acknowledgment at the time that the Bill was far from perfect. A host of Government amendments have been tabled—more than the norm on Report—which largely reflects the lack of pre-legislative scrutiny that the Bill received and the rushed consultations.

I shall try to get through our remaining amendments as quickly as possible. On the right of tenants to complain directly to the housing ombudsman, we oppose clause 153 and seek to remove it with amendment 278. Clause 153 would require tenants to seek permission and approval from their elected representatives to complain about their social landlord to the housing ombudsman. We support the National Housing Federation position on this issue. Amendment 278 would allow tenants the right to complain directly, as they can now. The National Housing Federation represents landlords, who possibly have the most to lose from the change, yet they are very relaxed about allowing tenants that direct link.

New clauses 24 and 25 seek to clamp down on loopholes in housing law that can be exploited by fraudsters and to deal with the issue of fairness—on which the Minister, he say yes! I am grateful to him for acknowledging that we brought to his attention something on which he thinks he can build. I look forward to seeing further amendments in the other place. When it comes to fairness in the allocation of homes and the transparency of the process, we felt that the local authorities in the cases that we highlighted needed a right of redress. Neither case is sub judice. They were highlighted for us by Arden Chambers, and they are Birmingham *v.* Qasim and Newport *v.* Charles. We would be grateful if both cases could be looked at in detail and amendments brought forward.

There are a host of issues concerning homelessness that, given enough time, deserve to be debated properly on the Floor of the House. However, given the constraints on Report, it is neither appropriate nor possible to give them another airing or vote on them all, as we did in Committee. I am sure that a number of those issues will be raised again in another place, given the depth of expertise there. In Committee, we sought a requirement for better standards in the private rented sector—a point touched on by the hon. Member for St Austell and Newquay (Stephen Gilbert)—through proposals for an accreditation scheme. I would support any move in the other place to resurrect that and look at it in more detail.

Stephen Gilbert: I am grateful to the hon. Lady for indicating her party's support for such a proposal. It could be quite transformative if the Government, while discharging the homelessness duties into the private rented sector, were to become a big purchaser of services in that sector, and we could drive up standards through an accreditation scheme. Does she agree with me on that?

Alison Seabeck: The hon. Gentleman knows that I agree. I tabled the amendments in Committee proposing exactly that, so the answer is yes. We tabled those amendments because we wanted to see an end to homeless applicants being placed in sub-standard or unsafe accommodation. Sadly, the Government rejected those amendments, and we shall have to wait to see how the matter pans out in the other place.

In Committee, we also sought to improve the advice offered to people presenting as homeless, but that, too, was rejected, as was our amendment to ensure that the Government's changes to housing benefit would not leave families intentionally homeless. The Government also rejected our amendment to ensure that any private sector accommodation into which homeless applicants were placed should be deemed to be affordable, although the Minister has mentioned taking affordability into account. An amendment seeking to prevent homelessness through better advice, with statutory guarantees on the quality of that advice, was also rejected. The hon. Members for Bradford East (Mr Ward) and for St Austell and Newquay expressed similar concerns, but sadly, they withdrew all their amendments and held the coalition

[Alison Seabeck]

line. I hope that we will be able to convince some Members on the Government Benches to join us in the Lobby today because of the Government's failure to listen to the arguments that we and they made in Committee. I am sure that their colleagues in the Lords will also look closely at these issues.

More than 160,000 people presented as homeless last year, and I am disappointed that a Bill that will have a profoundly negative impact on the lives of hundreds of thousands of people has returned to the Floor of the House after its Committee stage, and after a lengthy pause, with no amendments to address the criticisms and concerns of charities and experts who deal with homelessness on a day-to-day basis. Two very good reports have been published in the past fortnight. One from Crisis, on single homelessness, flags up the areas in which the most can and should be done to prevent homelessness. The other, from the Homeless People's Commission, points out that offering better advice will save the Exchequer money.

The Bill is a retrograde step. Homeless applicants found to be in priority need and unintentionally homeless will no longer be able to draw on the security and stability of a social home with security of tenure. Instead, they will be placed directly into the private rented sector and if they refuse an offer, for whatever reason, the local authority will no longer have a duty to house them. They would then have almost nowhere to turn for help. It does not take much to realise the circumstances in which an offer might be unacceptable to an applicant. The accommodation might be too expensive, too far away from their child's school—a point made by my hon. Friend the Member for Hammersmith (Mr Slaughter)—or too close to an abusive ex-partner. It might also be damp, mouldy or unsafe—the list goes on. Key among all this is the insecurity that a private rented sector offer can sometimes bring. There was a very good article in *Inside Housing* this week, following a survey that clearly showed that a homeless person placed in the private rented sector was likely to face eviction very early, and to be turned around and around in a circle of homelessness.

The third biggest cause of statutory homelessness last year was the loss of an assured shorthold tenancy. As I said earlier, stability is vital in order to prevent what people have referred to as the revolving door of homelessness. With tenancies in the private rented sector being less stable and of a shorter duration, the risk of recurring homelessness is greater, so the need for stronger statutory protection increases. Amendments 273, 274, 275, 276 and 360, taken together, would extend the period within which the homelessness duty would recur from two years to five years when the applicant was placed in the private rented sector. They would also provide, during that five year period, that a household accepted as homeless should receive "reasonable preference" on their local authority's housing allocation scheme.

Under amendment 269, the duty of local authorities to find temporary accommodation for a period that enables the homeless person to find accommodation themselves would be extended to intentionally and unintentionally homeless people who were not in priority need. It is important to note that this duty to accommodate for long enough to give reasonable opportunities to secure other accommodation is distinct from the main homelessness duty. Extending this provision to those not in priority need would help an individual facing a crisis who might just need some short-term accommodation to get back on their feet. It would give the individual and the authority the opportunity to work towards resolving their homelessness, perhaps outside the social sector, helping to ensure that no one faced a situation with no option but to sleep rough.

4.45 pm

On that point, perhaps I can press the Minister to tell us whether the rumours on the street are correct—that his Department is considering announcing that no one should sleep rough for more than one night. Do these rumours have any foundation? If so, does he expect to table amendments in the other place to deal with the issue and what will be the additional funding alongside it?

I am sure that the Minister will have noted the story of Chris, a young homeless person in crisis in a recent Crisis publication, "The Hidden Homeless". Told that he was not entitled to succeed to the tenancy of a social home in which he had been living and caring for his grandmother for 15 years up to her death—this brings me back to my earlier point about succession—Chris found himself homeless and without decent advice or support from the local authority. As a consequence, he slept rough, broke into buildings for shelter, ended up with a criminal record and no break from the cycle of homelessness. Something must be done to address this; the Government's Bill falls far short of the mark. I hope the Minister will reconsider his position on our amendments to deal with the problem.

Amendment 270 would ensure that, whenever possible, any homeless applicant to be placed in the private rented sector is offered somewhere within the borders of their own local authority first. The point has already been made. For a family with children, this will be essential to avoid having to pull the children out of school, and it is always preferable for reasons of community and stability not to make people move out of an area, except where there are valid reasons such as domestic violence, when a placement out of district might be preferable. There are going to be pressures, given the changes coming to housing benefit, so I hope that the Minister and his colleagues in the Department for Work and Pensions will bear that in mind.

If the Government are insistent that they wish to place homeless applicants directly into the private rented sector, it is only right for them to acknowledge the need to strengthen protections for the very predictable outcome of their choices. Evidence shows that homeless people housed in the private rented sector are more likely to be evicted.

Let me finish by saying that it is not just this Bill's provisions that give cause for alarm, as changes to housing benefit will increase homelessness and rough sleeping. We have already seen homelessness increase by some 15% since this Government came into office. The Government's consultation on statutory duties on local authorities has seen Tory councils like Hammersmith and Fulham viewing it as an opportunity to scale back their duties to homeless people, while Westminster council has been busy trying to ban soup kitchens.

If we had several days to debate this Bill on the Floor of the House, we could easily fill that time, as many issues deserve to be debated—not least issues of supply, whether or not the new homes bonus will work, and why the planning Minister, the Minister of State, Department for Communities and Local Government, the right hon. Member for Tunbridge Wells, yesterday brought forward an amendment at the behest of the Minister for Housing and Local Government, who is obviously getting desperate: houses are not being built and his new homes bonus needs a kick-start, so he is trying to buy planning permissions. We could have had an entire debate on that provision alone. As I say, many issues deserve to be debated and I have no doubt that my noble Friends in the other place will seek to pursue these areas when they eventually get their hands on the Bill.

Our new clauses and amendments are designed to defend mixed communities, to extend protections and advice to homeless people, to stand up for security and stability for low-income families and to prevent the segregation of those sections of our society that this Bill will surely deliver. I urge colleagues of all parties to join us in the Lobby on amendments 13 and 271, which we intend to press to the vote.

Andrew Percy: I wish to discuss amendments 13 and 271, and in doing so to draw on my experience of serving for 10 years as a local councillor in the city of Hull in east Yorkshire. I represented a large council estate, including the house in which my dad grew up, as well as the three-bedroom house in which my grandma lived until the day she died, because it was her home.

I have no problem with the concept of flexible tenancies, and I think that councils should be given tools enabling them to offer some form of flexibility. However, although I broadly support the Bill—an odd feature of this place is that Members tend to get to their feet when they are unhappy rather than happy about something, but I assure Ministers that there are plenty of provisions in the Bill about which I am perfectly happy—I should like to be given a few more details. The Bill states that local authorities may offer flexible tenancies, but I should like to see more commitment with regard to the proportion that they should offer, and also an absolute guarantee that they will continue to offer secure tenancies.

The Bricknell estate, which I used to represent, illustrated the importance of mixed tenure. We had some problems. People lived in three-bedroom houses long after their children had left. The worst experience that I used to have at my surgeries was being asked by people after someone had died, "May we please have their house?" People were literally on death watch trying to obtain homes. I do not pretend that there is not a problem with people living in homes that are too big for them. However, they should not be forced out of their homes, to which they have a sentimental attachment. I do not want some official from the local authority to turn up all of a sudden and tell people whose children happen to have left home that under the terms of their flexible tenancies their time is up, and they must move on and make a home somewhere else.

Mrs Anne Main (St Albans) (Con): My hon. Friend is making an interesting point, but the fact is that many people downsize whether they are in social housing or not. They should not be forced out, but offering them alternative accommodation might be a solution.

Andrew Percy: My local authority had a clear policy. Housing officers would talk to tenants and try to encourage them to move into smaller, more appropriate accommodation if it was available, although of course it is not always available. There is nothing wrong with that, but I understood from the Minister's response that people might end up in the courts when the terms of their flexible tenancies were enforced, and might effectively be forced out of their homes.

I am also worried about the two-year period. One of the problems on our estate was the difficulty of making people feel part of the estate and part of the community. A transitional arrangement, with people coming in for two years and then being forced out and different people coming in for another two years, does not help to maintain the sustainability and viability of the community.

Stephen Gilbert: My hon. Friend is making a number of excellent points. Does he agree that the Government cannot create a big society and increase community cohesion if we continue to move people around?

Andrew Percy: I agree. We experienced several problems of antisocial behaviour in the community that I used to represent, but we dealt with them over a period. After a while, people who had moved in from outside the area started to appreciate the community in which they were living and became part of it. Children befriended other children at the local school, and their parents then befriended one another. The sense of community was protected, which had a major impact on what had been huge antisocial behaviour problems. We had a sustainable community in which people had invested and in which they wanted to remain. There is a risk here. If people are constantly moving after short periods of time, they might not look after their houses and gardens. That may sound a bit silly, but the condition of houses and gardens gives an impression of what a community is like. If people feel they have a personal investment in their homes, they will maintain their gardens and do work to their properties; they will have some pride in the house in which they live, because they see it as their home.

Alison Seabeck: The hon. Gentleman is making a strong case. Does he accept that because such rapid turnover of tenants will inevitably result in a lack of care for properties, lenders on housing association properties in particular will start getting nervous about their investment and may want to revisit their loan books and reduce their investment in certain properties?

Andrew Percy: That is an interesting point, and I hope all Members would want to avoid that, but it is a possible consequence of short-term tenancies. If authorities are to be allowed to offer flexible tenancies, I would prefer there to be a requirement on them to continue to offer secure tenancies as well so that people can work towards that and so that there is at least some tenure mix.

On the point about housing officers turning up at the end of a secure tenancy and suggesting to the tenant that it is time for them to move on, the issue of what independent advice will be available to tenants has been raised. I would not want tenants to go through a court process and, perhaps, end up being forced out of their home without ever having had access to the correct and appropriate advice.

[Andrew Percy]

If we are to take into account the structures of modern families, tenants cannot simply be told, "You have a three-bedroom house and two people have moved out, so you're only using one bedroom," because family members frequently move out and back in again. Where is the security for the parent and for the kid who pops off to university or to do a job somewhere else, or who moves out because they are in a relationship which then ends so they want to return to the family home? I keep using the word "home" because these properties are not merely a facility that belongs to the council—although I suppose legally they are that. They are much more than that, however, so where is the security for the young person who moves out and then wishes to return home? I have absolutely no doubt that these proposals have been made with the best of intentions. On the estate I represented we had huge problems with such patterns of occupation and young people not having a chance to get a home, but we do not want to use a sledgehammer to crack a walnut.

Mrs Main: My hon. Friend is making a powerful point, but I have to say that young families who are seeking a home—very much like ambulance chasers, although I am not saying they are like ambulance chasers—come to my surgery. This issue works both ways, and unless my hon. Friend comes up with an alternative solution, the proposal before us has to be considered as a creative thought that is worth exploring.

Andrew Percy: The radical solution that I have always favoured—which is not very popular among my party colleagues—is that we should build more council houses, and I am pleased that Conservative-run East Riding of Yorkshire council in my constituency is, indeed, building more council houses in Goole, as it recognises there is a need there.

I think I did offer a solution to the question asked by my hon. Friend the Member for St Albans (Mrs Main), however. I said that I wanted better protection in the Bill so that we can ensure that secure tenancies are guaranteed and will continue. I have nothing against a proportion of council housing stock being made available for flexible tenancies, and as the Minister said, local authorities can certainly determine to do that. However, I fear that, particularly where there is high demand and limited stock, some local authorities will make decisions that will mean we end up with a situation where nobody can ever work towards having a secure tenancy. I would not want that at all.

We heard much about tenure standards from the Minister, and we had many assurances on that. Perhaps if he gets more than 16 seconds to respond to the debate, we can have a little more detail about those standards and how robust they will be. I agree there is a problem here, which is why I have concerns about amendment 13 on the basis that it takes out flexible tenancies entirely. Amendment 271 perhaps has more going for it.

5 pm

I just hope that Ministers will be able to offer me more assurances that if, after careful consideration, they decide that something a little more robust needs to be put in the Bill to protect tenants, they will make the appropriate changes in the House of Lords, Senate or whatever it is going to become at the appropriate time. I am not convinced that we could not have a situation where somebody who has been living in their home for five or 10 years is then suddenly dragged before the courts and removed from their home. I am sure that that is not what Ministers intend or what any local authority would want to see, but I am not convinced that the protection is robust enough in the Bill. I am sure that Ministers are discussing how those protections can be put in place, and I look forward to the response at some point in the future.

Ian Mearns: I am grateful to my hon. Friend the Member for Plymouth, Moor View (Alison Seabeck), the shadow Minister, for mentioning the new homes bonus, because people in Gateshead are considering what to do with the magnificent award of £68,000 that we have been given by the Government under the new homes bonus. That is approximately 28p per head of population to spend on the development of new homes within the borough of Gateshead. However, I do not want to discuss that today, because I want to talk about my new clause 23. I declare an interest, because I had assistance in drafting my new clause from staff at the Local Government Association, and I am a vice-president of that organisation.

New clause 23 proposes that the Bill should be amended to include a provision to support local authorities in reducing the level of littering from vehicles. The Bill provides an excellent opportunity to amend section 87 in part IV of the Environmental Protection Act 1990 to enable local authorities to deal specifically with littering from vehicles. Such an approach would help to reduce the high level of litter, not only at road junctions, roundabouts and exits from service areas, which are difficult to clean up, but in our streets generally. The new clause fits with the overall aims of the legislation, and with the specific new powers for local authorities to tackle persistent fly-posting and graffiti.

Anyone who wanders around the streets of Britain will notice that litter thrown from vehicles is a problem affecting the cleanliness of highways and roadside verges, creating cleansing issues for many local authorities up and down the country. Furthermore, many drivers and passengers feel that they are anonymous when they throw litter from vehicles. The introduction of a specific offence where the owner of a vehicle is held responsible for such littering, unless they can prove otherwise, would discourage drivers and their passengers from throwing litter. Such an offence would also provide a further means for local authorities to tackle the growing problems of roadside litter.

Littering from vehicles is a major issue for the public. In 2009, Keep Britain Tidy launched a campaign to encourage members of the public to report incidents of littering from vehicles. Although the campaign ended two years ago, more than 9,500 such reports were received from members of the public. We have all seen drivers who smoke depositing the contents of their ashtrays on the kerbside, usually not in their own street but in someone else's or, as is common, around the country. We have all witnessed soft drinks containers, fast food wrappers, residue from fruit, half-eaten sandwiches and much worse being flung from moving vehicles or being deposited from a vehicle parked at the side of the road when a snack break is over.

Jeremy Corbyn (Islington North) (Lab): I endorse what my hon. Friend is saying. Is he also aware that those of us who cycle face a danger from unthinking motorists who open their window and throw rubbish out, and that is an assault on cyclists?

Ian Mearns: I am grateful to my hon. Friend for making that point, with which I wholeheartedly concur. I was going to come on to that. It is mainly cyclists, pedestrians and local residents who have to negotiate their way through the mess that is left. This selfish, antisocial and irresponsible activity must be curtailed.

In London, the power to tackle littering from vehicles was recently introduced by the London Local Authorities Act 2007. Section 24 gives a London borough council the power to serve a penalty charge notice on the registered keeper of a vehicle if any passenger throws litter from it. In that case, the use of a penalty charge notice rather than a fixed penalty notice means that that is a civil offence rather than a criminal one. Furthermore, due to defective drafting, the 2007 Act is not active until amending legislation has been given Royal Assent. I propose that the enforcement section of the Localism Bill should be amended to include a reference to vehicle related litter. That would follow on from the commitment to finding a solution to the problem made by Lord Henley, the Minister responsible for local environmental quality, at the national litter convention in December last year.

New clause 23 has legislative precedent and is in line with the legislation on other road traffic investigation and fly-tipping offences and the approach taken to littering from vehicles in the 2007 Act. The Government have a chance today to do something about the problem and I hope that they will do so. I am convinced that the vast majority of the public whom we serve would not regard new clause 23 as contentious in any respect whatsoever.

Annette Brooke (Mid Dorset and North Poole) (LD): I shall be very brief, as I wish my colleagues to have time to make their quite important contributions. We have some concerns about the issues raised this afternoon.

Let me start with new clause 26, tabled in my name and those of my hon. Friends. I was pleased with the Minister's response. The clause aims to free small fully mutual housing co-operatives from burdensome regulation and significant costs that they cannot and really should not have to shoulder in the same way as private landlords. This would obviously help to provide a more conducive environment for new housing co-operatives and would not cost the Government much money. I know it fits in well with the coalition Government's agenda for community self help and a mutual approach. That and other innovative schemes will, I hope, emerge from the Bill.

I also want to endorse the amendments on arm's length management organisations. I, too, urge the Minister to consider a ballot if there is a question of bringing things in house, whatever the circumstances. Poole Housing Partnership, which is an excellent and outstanding ALMO, has provided a lot for our local communities over and beyond good housing stock. I want to put that on the record.

Let me turn now to the key issues we have discussed this afternoon. Is there a place for flexible tenancies? We must ask that question. I think there is a place for flexible tenancies, but is there a case for two-year flexible tenancies? That question really needs to be addressed in the other place. I would hate to see the churn that might happen. I also think that the idea of a mix of tenancies, from a minimum of, say, five years through to secure tenancies, probably has quite a lot to offer. We should not need to be prescriptive from the centre. We ought to be enabling local authorities, but obviously some alarming information has been put before us today and that means that the regulatory side will have to be very secure.

Jeremy Corbyn: Will the hon. Lady give way?

Annette Brooke: If the hon. Gentleman does not mind, I would like to be brief so that my colleagues can get in.

I want to put on record my concern about the two-year tenancies. True, it is said that they will be exceptions but there is a big "but" once we start using the term "exceptions". The Liberal Democrats want this issue to be revisited in the House of Lords. It is incredibly important to get it right.

Let me briefly address the homelessness issue. Having a roof over one's head by having something in the private sector might be a good option. However, the point has been made—and I have to go along with it—that we must look at all the individual circumstances such as whether there has been domestic violence and whether there are children in the family who have to be able to access their current school. If they have experienced trauma, it is important that they stay in their school.

As yesterday, time is incredibly short and we are left with very important issues to address, which will affect people's lives, and we have no time to get to the bottom of them. That is why it is so important that as we pass this Bill to the other place, we do so with a lot of questions.

Mr Betts: May I begin by congratulating my hon. Friend the Member for Plymouth, Moor View (Alison Seabeck) on her effective criticism of the Government's proposals on security of tenure? Her comments were excellent and I thoroughly support them.

I also give credit to the hon. Member for Brigg and Goole (Andrew Percy), who made some very perceptive comments. The reality is that people will be dragged out of their homes at the end of a flexible tenancy and told, "That is no longer your home." If people resist, they will be dragged in front of the courts and evicted. That is what is going to happen; there is no getting away from that. He was absolutely right to say that it changes the status of the offer that is made to someone at the beginning of a tenancy from offering them a home that will be theirs for as long as they want it, as long as they abide by the tenancy rules, to offering them a temporary residence. With that temporary residence comes the risk of temporary schooling, temporary communities and all the problems that the hon. Gentleman rightly identified, such as lack of community stability and the possibility of simply creating estates of people on benefits who are moved out as soon as they get off benefits and get a job because their tenancy is then brought to an end. That is not the sort of arrangement that I want to see.

Jeremy Corbyn: I absolutely endorse what my hon. Friend is saying. Is there not a strange contrast here in that Parliament is apparently about to vote to take away

[Jeremy Corbyn]

permanent tenancies for new council tenants but the Government would not dream of doing the same thing for owner-occupiers or others in our society? Why should we demote council tenants to this level of insecurity?

Mr Betts: My hon. Friend makes a very good point. These measures are changing the status of council tenants, downgrading them almost to second-class citizens. That is what this effectively means, and it is creating a form of welfare housing. There will be people who are so desperate for security that they will over-extend themselves in trying to become owner-occupiers, which could lead to real problems. I say to the Liberal Democrats that they should not hide behind the idea that the measures are all right because existing tenants will not be affected or because local authorities will have to choose whether to go for these forms of tenancies. The reality is that, currently, as long as people abide by the rules, they cannot be evicted from council or housing association properties—they cannot have their tenancy ended by their landlord—but under the Bill that will be possible, and if Liberal Democrats vote for the provisions, they will be allowing that to happen.

Let me say one thing about the homelessness provisions. It might surprise some to hear that I am not, in principle, against local authorities being able to discharge their homelessness responsibilities by making an offer in the private rented sector, but I do want to see clear safeguards. If a house becomes available in my constituency, where some areas have very limited social housing, it is by no means apparent to me that someone who has just become homeless should get that property as opposed to someone who has been in the private rented sector waiting on a housing list for six years. However, if an offer is made, it has to be made with the standards of the private rented property being approved by the local authority, with the landlord or their agent being part of an accredited scheme—probably with regular inspections to make sure that the property is kept to a reasonable standard—and with a minimum tenancy length. I would certainly want those conditions to be included.

Finally, let me address new clause 3, which is in my name. I heard the Minister's comments but I still feel that a ballot is the best way of ensuring that the views of ALMO tenants are really taken into account and that we do not simply have consultations in which the tenants say one thing and the local authority does another, which are already happening. A ballot is the best way forward, but if the Minister is saying that the same process that was used to set up an ALMO should be used to dismantle it, he must firm up the guidance and make it a statutory obligation for local authorities to comply with that. I see him nodding, and that is very good.

Andrew Stunell: I did give that assurance; we certainly are going to take a very close look at the point that the hon. Gentleman is raising.

Mr Betts: The Housing Minister has said that he is prepared to have a meeting with me and other officers of the parliamentary all-party group on arms length management organisations. The information we have got from the National Federation of ALMOs, with which we recently had a very good meeting, shows that, in a number of cases, local authorities have simply been flouting the correct processes. Councils are saying, "We are going to get rid of your ALMO; it doesn't matter what you say—it's going." They are then putting factually inaccurate reports to housing committees. They are not offering people a real choice in the consultation, they are not explaining the facts, and they are not presenting balanced arguments. They talk about saving money on the general fund as one reason for getting rid of ALMOs. They do not refer to the new proposals on self-finance or the Government's reforms.

All those facts are being kept from tenants in unbalanced, one-sided consultations. I hear what the Minister says. I shall not press the new clause, and I look forward to further discussions with him and his colleagues about the best way of constructing the measure to get the best deal for ALMO tenants and to ensure that in the end they make the decisions which affect their homes.

5.15 pm

Gordon Henderson (Sittingbourne and Sheppey) (Con): Like the hon. Member for Gateshead (Ian Mearns), I shall speak not about housing, but about litter, and I shall say a little about new clause 33. The new clause would extend street litter control notices to office buildings by amending the Environmental Protection Act 1990. Although this is only a minor amendment, it would have a major impact on the ability of local authorities to clean up their streets.

Four years ago I launched a project in my constituency called Litter Angels to highlight the nuisance of litter. The idea of Litter Angels—which has now applied for charitable status, so I suppose I should declare an interest as one of the trustees—is to work with our local primary schools to educate children about the harm that litter does to our local environment. We take the view that catching them young might encourage more of them to practise good habits as they get older.

More recently, Litter Angels launched a "Big Clean Up" campaign in Sittingbourne and Sheppey, which is encouraging local groups and individuals to commit to undertaking at least one project to clean up our local area. The "Big Clean Up" will take place during August, and I am proud that my constituency was one of the first in the country to embrace the national "Love Where You Live" campaign being run by Keep Britain Tidy.

It was Keep Britain Tidy which highlighted to me a particular problem with smoking-related litter, with which new clause 33 deals. Sections 93 and 94 of the 1990 Act give local authorities the power to issue street litter control notices on premises that have a frontage on a street and outside of which litter or refuse is causing a defacement of the land. The problem is that the legislation was originally envisaged to tackle fast food litter and other such rubbish, and pre-dated the ban on smoking in public buildings and places of work. The House might be surprised to learn that the latest local environment quality survey of England revealed that smoking-related litter is present on 76% of the sites surveyed and is the most frequently found litter type.

Much of that smoking-related litter can be found outside office buildings. Unfortunately, street litter notices cannot normally be served on office buildings unless they sell food and drink, whether or not for consumption on the premises—for example, from a canteen or snack kiosk. Extending the street litter notice provisions to include office buildings would provide local authorities with the means to deal with localised litter problems and would close an unintended loophole in the legislation. The new clause would also allow local authorities to require occupiers or owners of offices and non-food retail outlets to play a greater role in dealing with the scourge of litter and encourage members of the public to take increased responsibility for their litter.

It is worth pointing out that in June 2007 the Department for Environment, Food and Rural Affairs undertook a final regulatory impact assessment on the extension of street litter control notices. This was as a response to the potential impact of the smoking ban on littering and its extension to office buildings. That assessment confirmed that if local authorities were able to issue street litter control notices in respect of offices and other venues not currently covered by the provisions, it would give them the power to place a greater responsibility on the occupiers or owners of those premises to clean up, particularly the smoking-related litter in the area immediately around them, perhaps by installing appropriate disposal facilities where this form of littering is a significant problem.

The assessment noted that such a proposal was in line with changes introduced by the Clean Neighbourhoods and Environment Act 2005, which followed the "polluter pays" principle by improving the powers available to local authorities to take action. A cost-benefit analysis undertaken by the Department for Environment, Food and Rural Affairs in June 2007 calculated that such a proposal would result in a net benefit to society overall because notices would be issued only in a minority of cases and that costs imposed on local authorities and businesses would be relatively small and outweighed by the benefits associated with improved amenity, reduced cleaning costs resulting from preventive measures, and a reduced fire risk.

To allow notices to be issued in respect of any type of office premises, rather than the current limited number of offices, the new clause proposes to widen the definition set out in section 94(l)(a) in part IV of the 1990 Act by omitting reference to "commercial or retail premises" and inserting "premises other than dwellings"—I draw the House's attention to a typing error in today's amendment paper, which shows "premium" rather than "premises". My proposal has a legal precedent in London, where street litter control notice powers are currently extended to office buildings by part III of the London Local Authorities Act 2000, which, in reference to the 1990 Act, explicitly omits the words "commercial or retail premises" and substitutes the words "premises other than dwellings" for notices issued in the capital. All I seek to do is extend that principle to other areas of the country.

Additionally, section 93(2) of the 1990 Act states that the local authority may serve a street litter control notice

> "on the occupier or, if the premises are unoccupied, on the owner of the premises".

As office buildings may have multiple occupancy, I propose an amendment specifying that notices may be issued on the owner of any premises where there is multiple occupancy. New clause 33 is uncontroversial and designed simply to close a loophole in the current legislation. I hope that the Minister will agree to include it in this important Bill.

Mr Raynsford: I draw attention to the interest I declared at the beginning of the Bill's passage through the House and again in Committee.

It is, in my view, a sad day for housing when we come to consider this Bill on Report, as it involves a series of retrograde steps that are damaging to the future housing prospects of millions of our fellow citizens, weaken tenant rights and safeguards for homeless people, and undermine the future of social housing in this country.

It is particularly sad that we have had most of the debate during the extraordinary absence of the Minister for Housing and Local Government, who is responsible for this and yet graced us with his attendance for only a few minutes in a previous sitting and has made no contribution whatsoever to the passage of the Bill through the House. That is an extraordinary comment on his values. His approach, which the Government have adopted since coming to power last year, has been to cut drastically the funding for social housing, including a massive 65% reduction to the Homes and Communities Agency budget.

We are seeing individual rights cut back, such as tenant rights for homeless people. There is a curious element in this that the hon. Member for Brigg and Goole (Andrew Percy) hinted at in his impressive contribution. He rightly highlighted the fact that the Government are giving greater priority to the interests of the providers of housing than to the public, the customer and the user of services. That is not compatible with normal Conservative rhetoric, and we have heard, again and again, their attack on provider interests and their wish to support the position of the customer and the user of services, but not here. Tenants' rights and the rights of homeless people are being cut back, and when we argue that point we get the answer, "Don't worry, because the providers will do the right thing. They will look after the interests of tenants. They will give lots of security, they won't undermine tenants' security and they will look after the interests of homeless people. Trust the providers."

That is an interesting stance for the Government to take in this policy area, because in almost every other we hear a completely different rhetoric—the rhetoric of increasing the power and the influence of the customer, of the user of the service. Indeed, this Bill contains a great many passages where exactly that has motivated the Government, so there is a curious disconnect between the Government's rhetoric and what they are doing on housing. The only way I can explain it is by saying that they clearly have no interest at all in the future of social housing or in the interests of the people who live in social housing or depend on it for their future prospects.

Andrew Stunell: We do have a concern: it is for the 5 million people who are waiting for social housing, and about trying to make a better fit between the houses and homes that we have and the people who desperately need them.

Mr Raynsford: Were that true the Government would not have cut the Homes and Communities Agency investment budget by 65%. This Bill is the fig leaf presented by the Government to cover their embarrassment

[Mr Raynsford]

at their failure to provide adequately for the needs of social housing in the years ahead, and it is shameful that the Minister should try to cover that policy by pretending that they are acting in the interests of the homeless and the badly housed.

Andrew Stunell: I understand what the right hon. Gentleman says, but will he not acknowledge that at the end of 13 years of Labour government there were fewer social homes in this country than there were at the start? At the end of this period of government there will be more than there were when we started.

Mr Raynsford: The hon. Gentleman is absolutely wrong. There is no way in which there will be more social homes, because he knows perfectly well that the only social homes provided will be provided because the previous Government funded them, and that most of the homes for which this Government will be responsible will be the so-called affordable homes—although that is a travesty of English, given that they are based on the principle of 80% of market rents, which will in many cases be a real test of affordability—and homes that are created as flexible tenancies under the Bill.

The hon. Gentleman knows perfectly well, because we have debated it and I am sorry he cannot acknowledge it, that the previous Government inherited from their predecessor the most disgraceful backlog of poor condition housing in the social sector and rightly concentrated investment in the early years on putting that backlog right. A huge number of tenants now live in decent homes because of the Labour Government's work, but that Government also allowed those tenants who wanted to buy their homes to do so, and that inevitably accounted for some reduction in the volume of social housing.

Alison Seabeck: Will my right hon. Friend acknowledge that in the five years between 2005 and 2010 the Labour Government built more than 250,000 affordable homes? In the five years between 2010 and 2015, we expect at most 150,000. Is that not pretty pathetic?

Mr Raynsford: My hon. Friend makes an extremely good point that I entirely endorse. It shows that the Minister's claim was entirely incorrect, and he should be ashamed of making it.

The first amendment in my name, amendment 361, is about security of tenure. It is not the wrecking amendment that the Minister tried to pretend it is. It simply states:

> "In preparing its tenancy strategy a local authority must ensure that to the greatest extent possible, tenancies granted in its area provide security of tenure so as to support and develop stable and confident communities."

That is absolutely in keeping with the intelligent comments of the hon. Member for Mid Dorset and North Poole (Annette Brooke) on how there is a place for flexible tenancies, but they should not take over, and to the greatest extent possible we should try to support security and help to build stable communities.

That is the purpose of the amendment, and I cannot understand why the Government are reluctant to accept it. I give the Minister one last chance. If he wants to be held to have any real credibility on the issue, he should accept it, because it would indicate that he is not simply performing a sleight of hand that will deny tenants security, but is genuinely interested in maximising the number of tenants who enjoy security of tenure. That would at least be a step in the right direction, and I hope that the Government will change their mind. I note, however, that he did not bother to respond to my question about why they have not accepted the amendment on a minimum of five years, so perhaps I might do a little better on this second try.

5.30 pm

Amendment 362 is designed to safeguard the Government against embarrassment. As the Minister will know, because we debated it in Committee, this is about the incompatibility of the phrasing of the Bill with article 8 of the European convention on human rights, as interpreted by the Supreme Court in two recent judgments. The Supreme Court indicated that where tenants make representations against a possession action, the courts must have the discretion to consider whether it is proportionate to grant possession in the circumstances. That is clearly incompatible with the passage in the Bill that says that the courts must grant possession in all cases, without any doubt at all. I do not see how it is possible for the Secretary of State to have signed the statement saying that the wording of the Bill is compatible with article 8 when clearly it is not—or perhaps compatibility can apply only if it is put aside when cases come before the courts. It would be a rather odd position for a Minister to take if he was expecting the courts to ignore the wording of a Bill that he was putting before Parliament. In the interests of avoiding embarrassment for the Government, I hope that they will accept the amendment, which the Minister will know I have slightly amended to take account of one of the objections that he put up in Committee.

The Minister entirely misinterpreted my purpose in tabling amendment 363, which was not to weaken tenancy standards but to safeguard housing associations from the risk of reclassification as public sector bodies. This is a long and complex story, and I will not go into it, but it was debated at length when the legislation creating the Tenant Services Authority was going through Parliament. I took a similar line then, from the Government side of the House, which is that while we want to see frameworks in place that ensure proper safeguards for standards, we should be very careful about creating a chain that goes directly from a ministerial fiat to an instruction to a housing association which could lead to the view being formed that they are no longer independent bodies that can be classified as being in the private sector, or not in the public sector. If such a change were to take place and housing associations were to become classified as public sector bodies, they could no longer borrow from the private sector without that counting against public expenditure. That would, at a stroke, wholly undermine the programme of housing association investment, and it would cause considerable financial embarrassment to the Government.

I hope that the Government will think carefully about this. The individual, particular reference to standards would not necessarily, of itself, constitute sufficient grounds for the classification to be changed, but cumulatively the impact of an ever-increasing number of instances where the Secretary of State was able to instruct the Tenant Services Authority, or whatever body, to then instruct a housing association on how to act could lead to the view being formed that these are no longer bodies that are independent of the public sector. That is a very dangerous step. I tabled the amendment simply to advise the Government that this is a dangerous area that they need to think about carefully, because it could seriously undermine the whole funding of social housing in this country.

Now that I have explained my amendments, I hope that the Government will be more thoughtful and reasonable in responding to them than was evident in the line that the Minister adopted earlier. If there is no change, I sincerely hope that all Members of this House who care about the future of social housing will vote to safeguard the interests of the public, users of the service, tenants and homeless people rather than those of the providers.

Simon Hughes: I remind the House that one of the new clauses and amendments in this group is my new clause 38. The Minister did not specifically refer to that in his introduction. I had helpful conversations with Ministers before tabling it, and I hope that the Government will be sympathetic towards it. I understand that it may not be possible to agree to it today, but obviously there will be other opportunities if the principle is accepted.

My proposal deals with the straightforward point that, often, an existing occupier of land who is acting perfectly properly and within planning permission, such as a bakery, a print works or another business, is challenged by people who move in nearby—often it is residential occupiers, who in my constituency will have paid quite a large price for their property—who complain about the activity that was known to happen there when they moved in. People who had moved into Bermondsey street alongside the Ticino bakery, which has been there for decades, if not centuries, complained that there was a noise at 4 o'clock in the morning because people were baking bread. That complaint is completely unacceptable. People who had moved in opposite the print works on Surrey docks complained that vans came in and out in the middle of the night to deliver newspapers. That is not altogether surprising and is absolutely obvious. That complaint is therefore unacceptable. I could go on. People who move in next to farms complain about the cockerels crowing, people who move in next to churches complain about the bells ringing, and people who move in next to mosques complain about the imam calling people to prayer. Those complaints are all nonsense.

I want it to be clear that caveat emptor—or caveat mover-in—is the principle that we should apply. The important point is that such unacceptable complaints threaten businesses. They threaten the livelihood of the farmer, the baker, the print works or the night club. My constituency is regularly afflicted by people who think that they have a right to complain, even though they are the Johnny or Joanna-come-lately. I hope that that issue can be dealt with.

I will move on to the wider subjects in this group of amendments. I am very supportive of the comments of my hon. Friend the Member for Mid Dorset and North Poole (Annette Brooke), who expressed her concern not that the Government are not listening, but that they may need to go further in the House of Lords to accommodate the points made by those of us who for years have had a passionate concern for social housing and council housing.

I commend the speech of my hon. Friend the Member for Brigg and Goole (Andrew Percy). I, like him, have an absolute commitment to council property, and think that we should have more, not less, of it. I think that local authorities should be encouraged to build it, not discouraged from doing so. He speaks from his personal and constituency experience. I think that I am still the Member of Parliament who represents more council tenants than any other Member in England, so this issue is hugely important in my constituency.

Of course we need to deal with under-occupying and with the fact that people may become council tenants when they are poor and then become very rich. It seems to me that the way to deal with that is not to evict them, but to ask them to pay more money for the property, so that rather than changing their status, the cost of the property reflects their ability to pay. Otherwise, communities are broken up. Social housing should provide people with a spare bedroom to deal with the flexibility of the household. The hon. Member for Plymouth, Moor View (Alison Seabeck) and my hon. Friend the Member for Brigg and Goole referred to that issue. As they grow older, a couple may need two bedrooms rather than one. Somebody might need a carer or their family or friends to come and stay. I therefore hope that we will always assume that there should be a spare bedroom.

Lastly, I hope that while accepting the principle of flexibility, the Government will have a presumption that the stability and security of communities is what we are striving for. Every year, about a quarter of the electors in my constituency move on or off the electoral roll. They do not necessarily move in or out of the constituency, but sometimes within it. I appreciate that the position in inner London is more extreme than elsewhere. However, we must build communities, and that is done by having more, not less, security. That does not mean that there should be no flexibility or that councils and other providers should have no ability to have tenancies that are not secure, but security of tenure should be the presumption. I hope that as the Bill goes from this place to the other place, the concerns from across the House will continue to be considered. This is not just an urban issue, but a rural one.

I look forward to Ministers being positive about the noises that they have heard from Government Members, as well as from Opposition Members, this afternoon.

Sheila Gilmore: I rise to speak in support of the amendments tabled by my hon. Friend the Member for Plymouth, Moor View (Alison Seabeck). There appears to be inherent conflict between different Bills that are proceeding through the House. I have been sitting on the Welfare Reform Bill Committee, and it seems to me that we are not looking at the whole picture. That Bill is concerned with, among other things, the amount of housing benefit that is paid out. There are concerns about the rising bill and what has to be done about it, and the Government are proposing measures to bring down the bill that will affect people up and down the country.

At the same time, there are proposals in the Localism Bill that would have the opposite effect. For example, it would create so-called affordable houses at 80% of market rate. However, the people who need those houses, the people everybody is wringing their hands about, will not be able to afford those properties unless they can get

[Sheila Gilmore]

housing benefit, which means that the housing benefit bill will rise. The Government are cutting benefit for some people and making their lives more difficult, but at the same time creating measures that will inherently increase the housing benefit bill.

In the same way, increasing the use of the private rented sector for homeless families will have an effect on the housing benefit bill, because inevitably their rents will be higher than they would be if we could find genuinely and truly affordable homes for people. I am concerned that two parts of the Government appear to be proceeding in conflicting ways.

Another aspect of welfare reform that we hear about constantly, in the Welfare Reform Bill Committee and elsewhere, is the need to make work pay and get people into employment, which we all agree about. Flexible tenancies may well have exactly the opposite effect. I was not on the Localism Bill Committee, so it may have been different there, but I noticed today that the one issue related to flexible tenancies that the Minister was comfortable in talking about was the vexed question of houses that are under-occupied or overcrowded. We all know that that is a problem, and it is not a simple one to address. Flexible tenancies are not only intended to address that situation, but that was what the Minister wanted to talk about. Perhaps it is the slightly more cuddly side of flexible tenancies. It might make people think, "Oh, I can see the point of that. We have to get a bit of flexibility to get that changed."

Actually, flexible tenancies are about much more than that. If they are implemented in the way suggested in some of the speeches that we have heard and the articles that we have read, it will mean that people who are trying to get back on their feet and have found jobs may be told that it is time to leave their home. What incentive does that give people to enter employment or work harder to increase their income?

Alison Seabeck: My hon. Friend is making some very strong points. Does she—

Madam Deputy Speaker (Dawn Primarolo): Order. Could the hon. Lady turn around, so that the microphone picks up her voice and the whole House can hear her?

Alison Seabeck: Sorry, Madam Deputy Speaker.

Does my hon. Friend share my surprise at the fact that the Minister has signed a number of early-day motions on the subject, including one clearly saying that is he a supporter of security of tenure, for all the reasons that we have been giving?

Sheila Gilmore: I certainly find that extremely surprising given what is in the Bill.

We have to ask the Government why they are moving in different directions in different legislation and why they cannot get their act together. Surprisingly, however, there is an underlying similarity between the two Bills—they are about shrinking the welfare state and leaving only residual provision, whether it is residual housing for the poorest and neediest or residual benefits for the most vulnerable. That illustrates the difference between the Government and Opposition, about which we must be clear. There are inconsistencies in the Bills, but at the same time there is a united theme to which we are opposed. We are concerned that in four or five years, the welfare state will have shrunk out of all recognition.

5.45 pm

Dan Rogerson: The key to social housing is longer-term tenure, which gives families, and particularly those with young children, confidence that they have a home for their family for the future. That is why we need to focus on the fact that social housing is meant to be not for short-term crisis accommodation but for family homes.

I should preface my remarks by saying that I absolutely accept that my hon. Friend the Minister's intention is to tackle the waiting list problem, which is a huge—*[Interruption.]* I hear an Opposition Member say, "Build more homes," but as we all know, the waiting list is longer than it was when the Labour Government took office 13 years ago. We can therefore take that with a pinch of salt.

I absolutely understand the Government's aspirations to increase the availability of social housing, but we need to look at how we can increase and stretch shorter-term tenancies in the private sector, rather than reducing social housing tenancies to equivalent levels.

I also accept that the Government are saying that the minimum level would not be an expectation, but, as we have already heard, some providers of social housing are taking it as such. Good councils and the better registered social landlords will not do that, but some will be waiting to implement that measure, which concerns me. I am worried about tenants when providers take that proposition seriously.

We have more second homes than council houses in my area. The previous Government failed to tackle that huge problem, but I hope that this Government listen to what Cornwall Members and Members for other rural areas say about it. We need to look at how to ensure that those who are fortunate to get a social tenancy can have confidence that they can raise their family without fear of being moved on. People live in fear of being pushed into assured shorthold tenancies in the private sector, where they might be asked to move on every six months or so. We must avoid that situation.

Although my hon. Friend the Minister's intention is to provide good local authorities with the flexibility to use the measure when that might help, my worry is that the measure is not robust enough to stop others misusing it and making it the norm. That is where my concerns with new clause 21 lie.

This is not Third Reading, but I should say that I am very keen on many aspects of the Bill. However, I am very concerned about the provisions on tenure. I should like a great deal of reassurance in that regard from those on the Treasury Bench before I join the Government in the Division Lobby.

John McDonnell (Hayes and Harlington) (Lab): In two minutes, I shall try to make three points. I apologise for not being in the Chamber throughout the debate. I was here at the beginning, but then I attended a debate in Westminster Hall and chaired a meeting elsewhere.

My first point is a warning, and it comes from the excellent speech by the hon. Member for Brigg and Goole (Andrew Percy). He asked whether tenants will be evicted when councils come round to inspect a property. The answer is that they will be—that is what will happen. Just as universities increased fees to £9,000, the bulk of councils will seize upon the two-year tenure rule. As a result, we will see the invidious inspection of properties to see how much people are earning, and there will be evictions. I give this warning to hon. Members: if this measure is enacted, MPs will be the first people those tenants will come to. On Monday, I tied to prevent a constituent from being evicted from a private rented property. She was being evicted not because she had not paid the rent and or because of antisocial behaviour, but simply because the landlord wanted the property back so that he could re-let it at a higher rent. That will happen time and again, and those who are evicted will come to our surgeries. I warn Members to be careful what they vote for tonight. The measure will cause untold suffering that will land on our doorsteps.

My second point is a statement. The reality is that tonight is the end of council housing as we know it. The argument has been made that there is a turnover of 5% a year in tenancies. If so, within a generation nobody will be given a secure tenancy. We need to be aware of what voting for this legislation would mean: let us admit that it is the end of council housing.

Thirdly, as someone who is proud to have been brought up in a council house in a thriving community, I do not understand why council tenants should be discriminated against in this way. We are not a different type of people: we, too, want secure accommodation; sometimes when our children grow up and leave, we enjoy that extra bedroom, or when things go wrong and they want to come home, we want them to be able to do so—but above all people want security. This is discriminatory legislation, and to be frank it discriminates on class grounds. As my hon. Friend the Member for Sheffield South East (Mr Betts) said, it is as though council house tenants are second-class citizens, yet their rents cover the costs of their properties—in fact, they subsidise others because of the amount they pay in relation to the cost of the property itself.

For those three reasons, people need to think very carefully before voting tonight. People will interpret this measure as an attack on a large number of people, some of whom are vulnerable, and it will undermine the basis of housing in our country for a long time to come.

Martin Vickers (Cleethorpes) (Con): I will be brief, because many of my points have been made already. Indeed, I could have written the speech of my hon. Friend the Member for Brigg and Goole (Andrew Percy) for him. If he needs a speechwriter, I am readily available. My speech will contain some repetition, therefore.

The Government's aim not just in the Bill, but in all their policies, is to build and strengthen communities, but strong communities mean strong, stable and settled communities. I have a concern about the Bill, so I put this simple question to the Front-Bench team: how will the Bill and the tenancy provisions build stronger, more settled communities? I am afraid that I remain unconvinced. It has been said that people grow attached to their homes. They are not just bricks and mortar; they are homes, not houses. I suppose, in one sense, I speak from experience, because I was brought up in a council house. I can vaguely remember moving from Fuller street in Cleethorpes at the age of 5 to a new-build council house in the centre of Grimsby. No doubt that was under the enlightened Conservative Administration at the time and the targets determined by Harold Macmillan.

I cannot get my head around the aim of the Bill. My hon. Friend the Member for Brigg and Goole used a line I gave him during one of his interventions: more flexibility for the landlord means more inflexibility for the tenant. What happens when children who have left home want to come back has not been satisfactorily dealt with. I share the view of my right hon. Friend the Member for Bermondsey and Old Southwark (Simon Hughes) that a spare room for carers or returning children should always be available in a home. Ministers know of my concerns. I raised them with three Ministers in Committee and on Second Reading—I am sure that my Second Reading speech was bedtime reading for all Front-Bench Members—but to sum up: how will shorter tenancies help to achieve stable communities?

Andrew Stunell: I certainly have longer than yesterday, but not quite long enough to answer all the points raised.

I start by saying that we absolutely and emphatically refute the argument that we are ending security of tenure for social housing tenants. We are not doing that. This is not the end of council housing or social tenancies. On spare rooms, I would say to my hon. Friend the Member for Cleethorpes (Martin Vickers) that the under-occupation figures that I quoted were for properties with more than one spare bedroom.

The amendments are wide-ranging, but at their heart they are about not permitting a flexible tenancy arrangement at all, and about under no circumstances transferring families for whom the council has accepted a homelessness duty to the private rented sector. To my hon. Friends and Opposition Members who have raised concerns that there might be unscrupulous public landlords as well as unscrupulous private landlords I would say that the point of having a housing regulator and tenure and mobility standards is to provide a solid framework for the decisions that providers make when they draw up their housing strategies and tenancy policies, which they will be required to do in consultation with tenants too. There is a legislative framework, and there will be tough rules and guidelines. There is also the guide on homelessness, which sets out the factors that must be taken into account.

Let me say to colleagues on both sides of the House that the Government are trying to help homeless families to get into satisfactory accommodation sooner, not handicap them. In relation to those who require social housing, our reform and the introduction of flexible tenancies will be one way of improving the fit and getting more of the 5 million people who need council housing into council housing. There are various myths, one of which is about the insecurity of the private rented sector. In fact, in the past three years only 8% of low-income households in the private rented sector moved because the tenancy was ended by the landlord. The other 92% moved because they wanted to move. We need to keep the facts of the case in proportion and try not to overdo the mythology.

Let me deal with some of the other issues raised. I thank my hon. Friend the Member for Mid Dorset and North Poole (Annette Brooke) for her kind words about our views on new clause 26. I have already responded to

[Andrew Stunell]

the hon. Member for Sheffield South East (Mr Betts) on the ALMOs legislation. To those who have raised their concerns about tenure security let me say that the guidelines on tenure standards will be available for inspection shortly.

Let me deal now with those Members who have made specific proposals. I can tell my right hon. Friend the Member for Bermondsey and Old Southwark (Simon Hughes) that I am making "sympathetic noises"—I think that is the correct phrase—even if the neighbours are not in his case. On new clause 23 and 33, let me tell the hon. Member for Gateshead (Ian Mearns)—who was speaking, I thought, on behalf of the LGA—and to one of my hon. Friends who made the same point in relation to a separate amendment that we will certainly look carefully at the matters that have been raised.

I am under strict instructions to stop promptly. I apologise to the House for not responding in the depth that I would have liked to the many points that have been raised. I have been listening, as have my colleagues, and we will obviously take forward the views that have been expressed and ensure that they are not overlooked when the Bill is considered in the other place in due course. I urge my hon. Friends to support the Government amendments this evening and to resist the Opposition amendments.

Question put and agreed to.

New clause 19 accordingly read a Second time, and added to the Bill.

Clause 130

FLEXIBLE TENANCIES

Amendment proposed: 13, page 114, line 36, leave out clause 130.—*(Alison Seabeck.)*

Question put, That the amendment be made.

The House divided: Ayes 223, Noes 298.

Division No. 281] **[5.59 pm**

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobson, rh Frank
Docherty, Thomas
Donaldson, rh Mr Jeffrey M.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodgson, Mrs Sharon
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Ian
MacShane, rh Mr Denis
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M.
(Easington)
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John
Robinson, Mr Geoffrey
Rogerson, Dan
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John

Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Winnick, Mr David
Winterton, rh Ms Rosie
Wood, Mike
Woodcock, John
Woodward, rh Mr Shaun
Wright, Mr Iain

Tellers for the Ayes:
David Wright and
Phil Wilson

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Bagshawe, Ms Louise
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Bridgen, Andrew
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burrowes, Mr David
Burstow, Paul
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clegg, rh Mr Nick
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, Matthew
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howarth, Mr Gerald
Howell, John
Huhne, rh Chris
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lamb, Norman
Lancaster, Mark
Lansley, rh Mr Andrew
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paice, rh Mr James
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penrose, John
Perry, Claire
Phillips, Stephen
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Rifkind, rh Sir Malcolm
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert

Soubry, Anna
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Tapsell, Sir Peter
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:

Jeremy Wright and
Mr Shailesh Vara

Question accordingly negatived.

6.13 pm

Proceedings interrupted (Programme Order, 17 May).

The Deputy Speaker put forthwith the Questions necessary to dispose of the business to be concluded at that time (Standing Order No. 83E).

Amendment proposed: 271, page 115, line 7, at end insert—

'(2A) Subsection (2) shall not apply to a secure tenancy if immediately before the tenancy was granted the person who became the tenant under the tenancy, or in the case of joint tenants, one or more of them was—

(a) a secure tenant of the same or another dwelling-house, or

(b) an assured tenant of a private registered provider of social housing or a registered social landlord (otherwise than under an assured shorthold tenancy) in respect of the same or another dwelling-house.'—*(Alison Seabeck.)*

Question proposed, That the amendment be made.

The House divided: Ayes 227, Noes 294.

Division No. 282] **[6.13 pm**

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Gordon
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobson, rh Frank
Docherty, Thomas
Donaldson, rh Mr Jeffrey M.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
Gilbert, Stephen
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harris, Mr Tom
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hodgson, Mrs Sharon
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Lammy, rh Mr David
Lavery, Ian
Leslie, Chris
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
Lucas, Ian
MacShane, rh Mr Denis
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Paisley, Ian
Pearce, Teresa
Percy, Andrew
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John

Robinson, Mr Geoffrey
Rogerson, Dan
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Vickers, Martin
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Winnick, Mr David
Winterton, rh Ms Rosie
Wood, Mike
Woodcock, John
Woodward, rh Mr Shaun
Wright, Mr Iain

Tellers for the Ayes:
Phil Wilson and
David Wright

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Bagshawe, Ms Louise
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Bridgen, Andrew
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Buckland, Mr Robert
Burley, Mr Aidan
Burns, Conor
Burrowes, Mr David
Burstow, Paul
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C.
(Monmouth)
Davies, Glyn
Davies, Philip
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mark
Gauke, Mr David
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, Stephen
Hancock, Matthew
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howarth, Mr Gerald
Howell, John
Huhne, rh Chris
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Lansley, rh Mr Andrew
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Macleod, Mary
Main, Mrs Anne
Maude, rh Mr Francis
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paice, rh Mr James
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Rifkind, rh Sir Malcolm
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rosindell, Andrew

Rudd, Amber
Ruffley, Mr David
Rutley, David
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soubry, Anna
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Tapsell, Sir Peter
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Shailesh Vara and
Norman Lamb

Question accordingly negatived.

Clause 134

SUCCESSION TO SECURE TENANCIES

Amendments made: 191, page 121, line 36, at end insert—

'(1A) A person ("P") is qualified to succeed the tenant under a secure tenancy of a dwelling-house in England if—

(a) at the time of the tenant's death the dwelling-house is not occupied by a spouse or civil partner of the tenant as his or her only or principal home,

(b) an express term of the tenancy makes provision for a person other than such a spouse or civil partner of the tenant to succeed to the tenancy, and

(c) P's succession is in accordance with that term.'.

Amendment 192, page 121, line 37, after '(1)', insert 'or (1A)'.

Amendment 193, page 121, line 39, leave out '(whether or not the tenant's spouse or civil partner)'.—*(Greg Clark.)*

Clause 135

SUCCESSION TO ASSURED TENANCIES

Amendments made: 194, page 122, line 40, at end insert—

'(1ZA) Subject to subsection (1B), in any case where—

(a) there is an assured periodic tenancy of a dwelling-house in England under which—

(i) the landlord is a private registered provider of social housing, and

(ii) the tenant is a sole tenant,

(b) the tenant under the tenancy dies,

(c) immediately before the death, the dwelling-house was not occupied by a spouse or civil partner of the tenant as his or her only or principal home,

(d) an express term of the tenancy makes provision for a person other than such a spouse or civil partner of the tenant to succeed to the tenancy, and

(e) there is a person whose succession is in accordance with that term,

then, on the death, the tenancy vests by virtue of this section in that person (and, accordingly, does not devolve under the tenant's will or intestacy).'.

Amendment 195, page 123, line 10, at end insert—

'(1ZA) Subject to subsection (1B), in any case where—

(a) there is an assured tenancy of a dwelling-house in England for a fixed term of not less than two years under which—

(i) the landlord is a private registered provider of social housing, and

(ii) the tenant is a sole tenant,

(b) the tenant under the tenancy dies,

(c) immediately before the death, the dwelling-house was not occupied by a spouse or civil partner of the tenant as his or her only or principal home,

(d) an express term of the tenancy makes provision for a person other than such a spouse or civil partner of the tenant to succeed to the tenancy, and

(e) there is a person whose succession is in accordance with that term,

then, on the death, the tenancy vests by virtue of this section in that person (and accordingly does not devolve under the tenant's will or intestacy).'.

Amendment 196, page 123, line 11, leave out 'or' and insert ', (1ZA),'.

Amendment 197, page 123, line 11, after '(1A)', insert 'or (1AA)'.

Amendment 198, page 123, line 14, leave out '(whether or not the tenant's spouse or civil partner)' and insert '(and, accordingly, does not devolve under the tenant's will or intestacy)'.

Amendment 199, page 123, line 19, leave out from 'housing' to end of line 20.

Amendment 200, page 123, line 23, at end insert—

'(4A) In subsection (5) after "(1)(b)" insert "or (1A)(c)".'.

Amendment 201, page 123, line 26, after 'subsection', insert '(1ZA), (1AA) or'.—*(Greg Clark.)*

Clause 139

REPAIRING OBLIGATIONS IN LEASES OF SEVEN YEARS OR MORE

Amendments made: 202, page 125, line 11, at end insert 'that—

(i) is not a shared ownership lease, and

(ii) is'.

Amendment 203, page 125, line 12, at end insert—

"(1B) In subsection (1A)—

"assured tenancy" has the same meaning as in Part 1 of the Housing Act 1988;

"secure tenancy" has the meaning given by section 79 of the Housing Act 1985; and

"shared ownership lease" means a lease—

(a) granted on payment of a premium calculated by reference to a percentage of the value of the dwelling-house or of the cost of providing it, or

(b) under which the lessee (or the lessee's personal representatives) will or may be entitled to a sum calculated by reference, directly or indirectly, to the value of the dwelling-house."'.—*(Greg Clark.)*

Clause 152

POWERS OF THE NATIONAL ASSEMBLY FOR WALES

Amendment made: 204, page 130, line 4, leave out clause 152.—*(Greg Clark.)*

New Clause 22

PRE-COMMENCEMENT CONSULTATION

‘(1) Subsections (2) and (3) apply for the purpose of determining whether there has been compliance with—

(a) a requirement for consultation imposed by this Act,

(b) a requirement for consultation which applies in relation to things done under an Act amended by this Act, or

(c) a requirement (whether or not imposed by this Act) to do something in connection with a consultation under a requirement within paragraph (a) or (b).

(2) The fact that a provision of this Act was not in force when consultation took place or anything was done in connection with a consultation is to be disregarded in determining whether there has been compliance with the requirement.

(3) The fact that consultation was carried out by a body from whom functions are transferred by this Act, or anything was done by such a body in connection with a consultation, is to be disregarded in determining whether there has been compliance with the requirement by a body to whom those functions are transferred.

(4) Subsection (3) is without prejudice to any other provision of this Act that applies to the transfer.

(5) References in this section to a requirement imposed by this Act include a requirement imposed by another Act as a result of its amendment by this Act.’.—*(Greg Clark.)*

Brought up, and added to the Bill.

Clause 201

ORDERS AND REGULATIONS

Amendments made: 221, page 166, line 4, leave out first ‘or’ and insert ‘, the Treasury or the’.—*(Greg Clark.)*

Amendment 222, page 166, line 6, leave out first ‘or’ and insert ‘, the Treasury or the’.

Amendment 223, page 167, line 14, at end insert—

‘(10A) A statutory instrument that contains an order or regulations made by the Treasury under Schedule [Transfers and transfer schemes: tax provisions] is subject to annulment in pursuance of a resolution of the House of Commons.’.—*(Greg Clark.)*

Clause 202

POWER TO MAKE FURTHER CONSEQUENTIAL AMENDMENTS

Amendments made: 224, page 167, line 41 , after ‘sections’, insert ‘8,9,’.

Amendment 225, page 167, line 41, after ‘Parts’, insert ‘1A,’.—*(Greg Clark.)*

Schedule 24

REPEALS AND REVOCATIONS

Amendments made: 226, page 381, line 13, at end insert—

PART 1A

FIRE AND RESCUE AUTHORITIES

Reference	*Extent of repeal*
Fire and Rescue Services Act 2004	Section 5.
	Section 19.
	Section 62(3).’.

Amendment 227, page 381, line 30, at end insert—

‘	In section 18— (a) subsections (4) and (5), and (b) in subsection (6) the words “in Wales”.’.

Amendment 228, page 382, line 5, at end insert—

‘	(aa) in subsection (2ZA) the words “in Wales”,’.

Amendment 229, page 382, line 6, leave out paragraph (b) and insert—

‘	(b) subsection (2A)(a) and (b),’.

Amendment 230, page 382, line 13, at end insert—

‘	(da) in subsection (10A) the words “in Wales”,’.

Amendment 231, page 382, line 14, leave out from ‘subsection’ to end of line 16 and insert

‘(13)(aa) the words from “by virtue of” to “England) or”,’.

Amendment 232, page 382, line 16, at end insert—

‘	(ea) in subsection (13)(c) the words from the beginning to “in Wales”,’.

Amendment 233, page 382, line 17, leave out paragraph (f).

Amendment 234, page 382, line 25, leave out paragraphs (a) and (b) and insert—

‘	(a) in subsection (3) the words from “(in the case of a local authority in England” to “Wales)”, (b) in subsection (6)(a) the words from “section 236” to “2007 or”, (c) subsections (10) and (11), and (d) in subsection (12) the words “in Wales”.’.

Amendment 235, page 382, leave out line 29.

Amendment 236, page 382, line 31, leave out ‘Section’ and insert ‘In section’.

Amendment 237, page 382, line 31, at end insert '—

> (a) in subsection (1)(b) sub-paragraph (ii) and the word "or" immediately preceding that sub-paragraph,
> (b) in subsection (2) the words "or providing a copy of the document to a relevant partner authority",
> (c) in subsection (6) in the definition of "exempt information" the words "section 246 of the National Health Service Act 2006 or", and
> (d) in that subsection the definition of "relevant partner authority" and the word "and" immediately preceding that definition.'.

Amendment 238, page 382, line 32, at end insert—

> ' In section 21F (as inserted by the Local Government (Wales) Measure 2011), in subsection (1) the words "in Wales".'.

Amendment 239, page 382, line 33, after '21F', insert

'(as inserted by the Flood and Water Management Act 2010)'.

Amendment 240, page 382, leave out line 34 and insert 'In section 22(12A)(a) the words from ", or under" to "section 21B,".'.

Amendment 241, page 382, leave out line 36.

Amendment 242, page 382, leave out line 37.

Amendment 243, page 382, leave out lines 38 to 42 and insert—

> ' Section 31.'.

Amendment 244, page 382, leave out lines 43 to 48 and insert—

> ' Section 32.'.

Amendment 245, page 382, leave out line 49.

Amendment 246, page 382, line 49, at end insert—

> ' In section 33ZA the words "in Wales,".'.

Amendment 247, page 382, line 50, leave out from '33A' to end of line 51.

Amendment 248, page 384, leave out line 27.

Amendment 249, page 384, leave out line 29.

Amendment 250, page 384, line 33, after 'it),', insert—

> ' (ab) subsection (2),'.

Amendment 251, page 384, line 37, leave out 'paragraphs 23, 24, 25 and' and insert 'paragraph'.

Amendment 252, page 384, line 42, at end insert—

'Local Government (Wales) Measure 2011 (nawm 00)	Section 36(1)(b) and (c).'.

—*(Greg Clark)*

Clause 205

EXTENT

Amendments made: 253, page 168, line 20, at end insert—

> '(aa) section [Tax] and Schedule [Transfers and transfer schemes: tax provisions],'.

Amendment 254, page 168, line 26, after 'Sections', insert '[Tax],'.

Amendment 255, page 168, line 26, after '207', insert

', and Schedule [Transfers and transfer schemes: tax provisions],'.—*(Greg Clark.)*

Clause 206

COMMENCEMENT

Amendments made: 256, page 168, line 38, leave out paragraph (f).

Amendment 257, page 169, line 2, leave out paragraph (j).

Amendment 258, page 169, line 2, at end insert—

> '(ja) section [Applications for planning permission: local finance considerations],'.

Amendment 259, page 169, line 4, leave out paragraph (l).

Amendment 260, page 169, line 6, after '7,', insert 'except section168(3)(e) and (f) and (4A),'.

Amendment 261, page 169, line 17, leave out from 'it' to end of line 18 and insert 'is brought into force by subsection (4)(f) and (fa),'.

Amendment 262, page 169, line 21, at end insert—

'(3A) The following provisions come into force on such day as the Welsh Ministers may by order appoint—

- (a) section8(1) so far as it inserts—
  - (i) new sections 5A and 5B so far as relating to fire and rescue authorities in Wales,
  - (ii) new sections 5C and 5CA so far as relating to power of the Welsh Ministers to make orders, and
  - (iii) new sections 5E to 5K,
- (b) section8(2) so far as relating to fire and rescue authorities in Wales,
- (c) section8(2A), (4A) and (4B)(a) and (c),
- (d) section8(4B)(b) so far as it inserts new section 62(1A)(a) and (d),
- (e) section8(4B)(b) so far as it inserts new section 62(1A)(b) so far as relating to power of the Welsh Ministers to make orders,
- (f) section9(1) to (3) and (4) so far as relating to fire and rescue authorities in Wales,
- (g) section9(3A),
- (h) the following so far as relating to fire and rescue authorities in Wales—
  - (i) in Part 1A of Schedule24, the entries for sections 5 and 19 of the Fire and Rescue Services Act 2004, and
  - (ii) section203 so far as relating to those entries, and
- (i) in Part 1A of Schedule24, the entry for section 62(3) of the Fire and Rescue Services Act 2004, and section203 so far as relating to that entry.'.

Amendment 263, page 169, line 30, at end insert—

> '(ea) section [Provision of advice and assistance in relation to community right to challenge],'.

Amendment 264, page 169, line 32, at end insert—

> '(fa) sections [Provision of advice and assistance in relation to land of community value in England] and [Provision of advice and assistance in relation to land of community value in Wales],'.

Amendment 265, page 169, line 42, at end insert—

> '(ma) section [Tax] and Schedule [Transfers and transfer schemes: tax provisions] so far as they confer power on the Treasury to make regulations or orders,'.

Amendment 266, page 169, line 43, after 'sections', insert '[Pre-commencement consultation],'.

Amendment 267, page 169, line 46, leave out 'or (3)' and insert ', (3) or (3A)'.

Amendment 268, page 170, line 12, leave out 'section 65' and insert

'sections 65 and [Provision of advice and assistance in relation to land of community value in Wales], and Chapter 4 of Part 4 so far as it confers power on the Welsh Ministers to make regulations or orders,'.—*(Greg Clark.)*

Third Reading

Queen's and Prince of Wales's consent signified.

6.28 pm

The Minister of State, Department for Communities and Local Government (Greg Clark): I beg to move, That the Bill be now read the Third time.

I shall keep my remarks brief because many hon. Members are anxious to attend the funeral of our late colleague, David Cairns. It is appropriate that everyone who can attend that funeral does so with the good will of the House.

Let me begin by thanking Members who have taken part in the scrutiny of the Bill on Second Reading, in our 24 Committee sittings and during the past two days on Report. The level of interest in the Bill across the House and during the 80 hours of scrutiny that it has received so far is testament to its importance and significance in the future of our national life. As well as paying tribute to members of the Committee, who laboured long in the Committee Room upstairs, I thank in particular my ministerial colleagues for all their hard work in preparing and speaking to the Bill, as well as the Whips of both parties who kept us in order and made sure that we considered every clause without needing to curtail our deliberations. I thank my parliamentary private secretary, the hon. Member for Henley (John Howell), whose seminal paper, "Open Source Planning", was the source of inspiration for many of the policies in the Bill. I pay tribute to all my officials and to Officers of the House who have worked hard on what has been a very long and detailed Bill to get us to the state we are in today. I pay tribute to all the efforts that went into that.

I am sure that I speak for everyone who served on the Committee when I pay tribute to the hon. Member for York Central (Hugh Bayley) and my hon. Friend the Member for Southend West (Mr Amess), who chaired the Committee sittings with aplomb and expertise, thereby making for very good-humoured and good-tempered scrutiny. I think that I speak for every member of the Committee when I say that we have enjoyed scrutinising the Bill in Committee and in the House. It is fair to say that there was never a dull moment. The hon. Member for Birmingham, Erdington (Jack Dromey), sadly, is not in his place—perhaps he has gone ahead of us to the funeral I mentioned—*[Interruption.]* He has gone to the Dog and Duck, it is said; I know that is a favourite place of his. He treated the Committee to a tour of British history from the Magna Carta to the Chartists. We enjoyed that and were grateful for his contribution.

The right hon. Member for Greenwich and Woolwich (Mr Raynsford) offered some historical perspectives of his own, some of which were drawn from his experience of introducing the measures we then went on to repeal. The fact that he mostly kept his composure during that time, I think we acknowledged. He had a flair for simile, we noted, comparing Ministers and the Secretary of State to everyone from Draco to Henry VIII to Dr Pangloss and everyone in between. A phrase that might have gained his approval is one that we were not able to offer as frequently as he would have wished—"I agree with Nick." Perhaps, there will be other opportunities for that. *[Interruption.]* I am delighted to see that the hon. Member for Birmingham, Erdington is now back in his place.

In Committee, we had contributions of passion and deep experience of local government and community leadership from both sides of the Committee. It would be invidious for me to single out individual members, but the representation on the Committee of people with long experience of local government and civic and community leadership marked the Committee out as having been selected particularly appropriately and well. The Chamber tends to produce more partisanship than is often the case in Committee or below the surface. Of course we have had our disagreements during the past two years, but I do feel that we were able to make substantial progress with the Bill in Committee. It is a landmark Bill.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Let me continue in that spirit of partisanship. The Welsh branch of the Minister's party had a manifesto commitment in the recent National Assembly elections to devolve planning power over energy stations up to 100 MW—up from the current 50 MW level. Will he include that pledge, which was made to the people of Wales only last month, at this late stage of the Bill?

Greg Clark: We have a national system for consenting to major infrastructure projects. I have had meetings with Welsh Assembly Ministers on that and no doubt we will have meetings following the election of the new Assembly. I am very happy to meet the hon. Gentleman and Ministers from the Welsh Assembly Government to discuss that point.

As Members know, the main features of the Bill are to establish a general power of competence for local government, to increase opportunities for members of the public to participate directly in local democracy, especially via referendums, to vest in communities new rights to challenge the way in which services are provided and to own assets of importance to their communities, to reform the planning system to remove the regional tier, to permit neighbourhood planning and to establish a new duty to co-operate at the strategic level. We have clarified the functioning of local democracy in London with a degree of consent, as was pointed out earlier today, and we have introduced new flexibilities into the housing system so as to house people more reliably.

At the beginning of our deliberations, on Second Reading and in Committee, I gave a commitment to respond positively to constructive debate and I hope that the House believes I have done so. An hon. Member was kind enough to mention yesterday that I have taken a listening approach, and I expect that to continue when the Bill goes to another place. I have not regarded my task as being simply to carry the Bill through Committee unamended and without influence from the House, and that continues to be my view as it progresses through Parliament.

Thanks to our proceedings in Committee and in the past couple of days we have introduced safeguards over the use of the general power of competence and we

[Greg Clark]

have strengthened the duty to co-operate. We have substantially improved the provisions on neighbourhood planning to make them more open and more representative and allow them to cross neighbourhood boundaries. Those are some examples of the progress that we have been able to make.

In a centralised system it is necessary, however paradoxical it may seem, for the centre to lead on localist reform. It does not happen without a positive programme, but the centre should do so in a spirit of co-operation. I will disclose to the shadow Chancellor, who I know is fond of his dividing lines, that the discussions that I have had with the Opposition Front-Bench team have been very constructive. Even where we have not been able to agree totally, we have been able to reach a better understanding of each other's position and to make improvements as a result.

I had hoped that that might be reflected in both sides being able to support the Bill tonight. We will see in a few minutes, but I am led to believe that that might not be the case, and I regret that. Although we may disagree on some of the particular measures to implement the vision of localism, I think localism is a cause whose time has come. It attracts support from across the political divide. What unites us in this place on localism is greater than our points of difference, which the House of Lords will no doubt continue to pursue.

Andrea Leadsom: Will my right hon. Friend give way?

Greg Clark: I will not, because I made a commitment that Members would be free to go to our late colleague's funeral.

It is a shame that, although the Opposition say they support localism, they have hit upon an ingenious solution to oppose it in practice, which is to seize on any instance in which central Government intervene to pass down power and to focus on that intervention, rather than on the transfer of power which is its purpose. But the blindingly obvious fact is that the Bill is overwhelmingly decentralising. It favours the local over the central. Like the movement en masse on a Thursday afternoon of Members from this place to their constituencies, so the effect of the Bill is to see power leave Westminster and go where it is better vested, in local communities, and to give them their head.

This is a significant Bill. I hope we will make continued progress in the House of Lords. I believe that we will look back in 10, 20 or 50 years and see today as a turning point. The tide of centralisation has turned, not just because of the Government's decentralising measures, but because communities across the country are demanding change. That change is already under way. The Bill will speed up the process and establish it in law. For its part in that change, I commend the Bill to the House.

6.37 pm

Barbara Keeley: We have had more than 70 hours of debate and evidence during the Commons stage of the Bill, but I say to Ministers and Government business managers that to have only 90 minutes or so on Report to discuss groups containing 70 new clauses and amendments, as we did yesterday, was not satisfactory. The hon. Member for Shipley (Philip Davies) said that the Government had allowed a shameful amount of time for the debate, and for once we agree with him.

I, too, thank all members of the Committee for their work on the Bill, and particularly Opposition members who, I think we agree, carry a heavier work load. I thank my right hon. Friend the Member for Greenwich and Woolwich (Mr Raynsford), and my hon. Friends the Members for Lewisham East (Heidi Alexander), for Mitcham and Morden (Siobhain McDonagh), for Sunderland Central (Julie Elliott), for Gateshead (Ian Mearns), for Scunthorpe (Nic Dakin) and for Stalybridge and Hyde (Jonathan Reynolds). I pay tribute to my hon. Friends the Members for Plymouth, Moor View (Alison Seabeck) and for Birmingham, Erdington (Jack Dromey) for their excellent work and for leading the debates on our amendments.

I should mention the staff of our shadow ministerial team who worked long hours on speaking notes. Our work was supported immensely by the wise counsel of Sarah Davies and her team in the Public Bill Office. I join in the thanks to our two able Committee Chairs, my hon. Friend the Member for York Central (Hugh Bayley) and the hon. Member for Southend West (Mr Amess).

Sadly, we still have concerns about and objections to a number of the Bill's proposals. We object most strongly to the 142 extra powers that the Secretary of State wants to take to himself, the most toxic of those being the Henry VIII powers in part 5 which we discussed yesterday. Our amendment 37 proposed limits to those powers to amend, repeal, revoke or disapply any statutory provision.

Ministers still do not understand the alarm and consternation they have caused by introducing these powers and the way they are conducting the review of the statutory duties of councils. I hope they will reflect on the debate and do more in the Bill's later stages to limit those excessive powers. We disagree profoundly with the proposal to impose shadow mayors on 12 of our largest cities, a proposal that Ministers spent months denying they intended to introduce. It enjoys almost unanimous opposition from political leaders in the cities affected, such as Bradford and Leeds. The Institute of Local Government Studies at the university of Birmingham stated in a recent article:

> "It takes quite a determined political masochist to design a policy that unites in opposition to it 100% of those most immediately affected, regardless of party. Yet Communities Secretary Eric Pickles would seem to have pulled it off with his Localism Bill's elected mayoral package".

I strongly urge Ministers to look again at their proposal to impose shadow mayors when the Bill goes to the other place.

On pay transparency, we welcome Ministers indicating that they will look at expanding their proposals to include low pay, but they have not gone far enough. Fairness and transparency must be applied to the private sector wherever staff are being paid from the public purse. Ministers can be assured, however, that our opposition on a number of other issues not tested in Divisions is as implacable now as it was in Committee.

We reject the Government's proposal to levy EU fines on local councils, which we think will prove unworkable and hope will be thrown out when the Bill is debated in the other place. Ministers have talked about reducing burdens on local councils, but they are creating new duties and financial responsibilities at a time when councils are struggling with the challenge of dealing with the Government's swingeing, front-loaded cuts. Most importantly, we still have serious concerns and objections to their proposals on planning and on homelessness and social housing tenure. As my hon. Friend the Member for Birmingham, Erdington said, the Government have not moved far enough on the duty to co-operate. Worse than that, the additional changes to planning announced in the Budget and Government new clause 15 have created, as my hon. Friend suggested yesterday,

"confusion, chaos and nothing short of a car crash."—[*Official Report*, 17 May 2011; Vol. 528, c. 276.]

I hope that it is clear to Ministers after yesterday's debate that there are grave concerns about Government new clause 15, which allows financial matters to be a material consideration in planning applications. This effectively means that planning decisions could be for sale. As my right hon. Friend the Member for Greenwich and Woolwich said, the new clause poses a threat to the integrity of the planning system. The national planning policy framework should have been made available so that it could be part of our consideration. The Minister says that it will be launched for consultation later, but that is not good enough in the context of a Bill that makes such radical changes to the planning system.

The Opposition want to give communities a say over the future of their high streets. I hope that our new clause that proposes bringing in a retail diversity scheme will find favour in the other place after Government Members rejected it yesterday.

Ministers did not listen to our concerns or objections on their proposals on homelessness and tenure reform in social housing, and there was no consensus on these proposals. My hon. Friend the Member for Plymouth, Moor View made it clear that there is much in the Bill's housing proposals with which we cannot agree, from the Government's plans to weaken the homelessness duty to their plans to remove security of tenure, which would act as a brake on aspiration and a barrier to employment.

On security of tenure, the Bill will cause instability and insecurity for tenants. We are concerned about the Government taking away the rights of existing tenants. Their proposals to put homeless people straight into the private rented sector could lead to a cycle of evictions and further homelessness. We hope that scrutiny of the Bill in the other place will achieve important changes, including an accreditation scheme for the private rented sector.

In more than 70 hours of debate, we have worked hard to improve the Bill, but much more needs to be changed and revised. A Bill should not be rushed on to the statute book when it was not ready to start with, when it was not subject to adequate consultation and when Ministers have rejected many sensible amendments put forward during this and earlier debates. Therefore, we will vote against the Bill, because we want to send the message that much more change and improvement is needed.

6.44 pm

Andrea Leadsom: I wish to speak very briefly on behalf of my constituency of South Northamptonshire. I and my constituents thoroughly welcome the Bill, because at last it gives people the chance to allow communities to determine the fate of their own environment. For so long, Northamptonshire has been subject to a regional spatial strategy that has dumped housing all around its green spaces, and people have not been able to have a real say over what happens.

We have the West Northamptonshire Development Corporation, which was given planning powers to see through those developments, yet we have not had the section 106 money, and we do not have the infrastructure, roads or even school places and GP surgeries to cope with the amount of centrally determined housing that has been foisted on Northamptonshire.

On behalf of my constituents, I thoroughly welcome the Bill, but some questions remain, particularly in my area, about how we get from where we are today to where we want to be. Surely bodies such as the West Northamptonshire Development Corporation and the West Northamptonshire joint strategic planning committee, both of which the previous Government foisted on us, have to be removed in a post-Localism Bill world. I hope that my right hon. and hon. Friends on the Front Bench will listen to that very carefully.

Finally, on wind farms, we are desperately keen to see local people able to influence the siting and number of them in their area.

6.45 pm

Stephen Gilbert: Before I move on to my remarks about the Bill, I should like to join colleagues from all parts of the House in paying tribute to David Cairns, the former Member for Inverclyde. I understand that Opposition Members want to finish in order to attend his funeral, and that is perfectly understandable, so I will be as brief as I can.

Overall, this is a landmark Bill that should be welcomed on a cross-party basis. Taking Whitehall out of the town hall has been a key feature of the double devolution that the right hon. Member for South Shields (David Miliband) has spoken and written about. It will help enable the big society, the vision of our country described best by my right hon. Friend the Prime Minister, and it is a huge step in the right direction of the community politics that Liberals and Liberal Democrats have articulated for many a year.

The Bill frees councils, enables councillors and empowers local communities. For the first time, councils get the power of general competence: the ability to act in any area where they think that that is in the best interest of their local communities. They get extra financial freedoms, and the housing revenue account, long hated by councils and councillors, is being reformed. We are seeing increased rights and responsibilities for councillors, and the end of the ridiculous notion that having an opinion on a local issue before going into a meeting to talk about it will predetermine how they act. We are seeing the right of communities to buy assets, which might have been lost to those communities without this Bill. We are seeing local organisations have the right to challenge badly performing local authorities for contracts, and through the ability to hold referendums we are seeing additional democratic checks placed in our community.

For 13 years we have seen that increasing centralisation—an increasing reliance on a top-down approach to our communities—does not work. We know that centralised systems cannot display initiative or

[Stephen Gilbert]

difference, because they are too big to fail. By dispersing power throughout the country, we are going to have a plethora of different approaches to service delivery, reflecting the particular needs of local communities, and that will be healthy for the communities concerned and for the country as a whole.

Briefly, I should like to turn to my concern, which we were not able to debate yesterday, about the asymmetry of the planning process. Colleagues will be aware that I tabled new clause 4, which would have introduced a limited community right of appeal. I am quite clear, however, that the other 18 Members who signed that new clause are keen to see work proceed to ensure that developers no longer have the whip hand on planning applications, and I know that the Minister of State, Department for Communities and Local Government, my right hon. Friend the Member for Tunbridge Wells (Greg Clark), gave assurances on plans to address that concern in the national planning policy framework. It was, after all, a manifesto commitment of both coalition partners.

I pay tribute to my fellow members of the Bill Committee. It seemed like a marathon session over many months, and indeed it was. I pay tribute to the Clerks who supported us in our deliberations, and to the officials, who are already making an early exit from their Box. I note that we managed to keep them awake for the past two days. I hope that our noble colleagues at the other end of the building are equally able to keep them on their toes. I also pay tribute to the hon. Member for York Central (Hugh Bayley) and my hon. Friend the Member for Southend West (Mr Amess), who so ably chaired our discussions, which were broadly non-partisan—although we saw a little bit of opportunistic opposition from Labour Front Benchers this evening.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 300, Noes 216.

Division No. 283] **[6.50 pm**

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Bagshawe, Ms Louise
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Bebb, Guto
Beith, rh Sir Alan
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Bridgen, Andrew
Brokenshire, James
Brooke, Annette
Bruce, Fiona
Burley, Mr Aidan
Burns, Conor
Burrowes, Mr David
Burstow, Paul
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Chope, Mr Christopher
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Davies, Glyn
Davies, Philip
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorrell, rh Mr Stephen
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan, rh Mr Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Featherstone, Lynne
Field, Mr Mark
Foster, rh Mr Don
Fox, rh Dr Liam
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hames, Duncan
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunter, Mark
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Lansley, rh Mr Andrew
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Mr Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Main, Mrs Anne
Maude, rh Mr Francis
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel

Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mosley, Stephen
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paice, rh Mr James
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penrose, John
Percy, Andrew
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Rifkind, rh Sir Malcolm
Robathan, rh Mr Andrew
Robertson, Hugh
Robertson, Mr Laurence
Rosindell, Andrew
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Tapsell, Sir Peter
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walter, Mr Robert
Watkinson, Angela
Weatherley, Mike
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Yeo, Mr Tim
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Ayes:
Mr Shailesh Vara and
Norman Lamb

NOES

Abrahams, Debbie
Ainsworth, rh Mr Bob
Alexander, Heidi
Ali, Rushanara
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blears, rh Hazel
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
De Piero, Gloria
Denham, rh Mr John
Dobson, rh Frank
Docherty, Thomas
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Mr Frank
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glass, Pat
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Greatrex, Tom
Green, Kate
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Mr David
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Havard, Mr Dai
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Joyce, Eric
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lewis, Mr Ivan
Lloyd, Tony
Llwyd, rh Mr Elfyn
Love, Mr Andrew
MacShane, rh Mr Denis
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Mann, John
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonnell, John
McFadden, rh Mr Pat
McGovern, Alison
McGovern, Jim
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Mitchell, Austin
Moon, Mrs Madeleine
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa

Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Osborne, Sandra
Pearce, Teresa
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruane, Chris
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Smith, Owen
Spellar, rh Mr John
Straw, rh Mr Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thomas, Mr Gareth
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Wicks, rh Malcolm
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wood, Mike
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Noes:
Lilian Greenwood and Graham Jones

Question accordingly agreed to.

Bill accordingly read the Third time and passed.

Bob Russell (Colchester) (LD): On a point of order, Mr Deputy Speaker. On Friday, a Department for Environment, Food and Rural Affairs written statement said that there would no ban on exotic animals in circuses, as had been expected. On Monday and Tuesday, I sought to ask an urgent question on that, and made a point of order on Monday. It transpires that there is doubt as to the accuracy of Friday's statement. Is it possible for a Minister to come to the House to clarify that statement, because it is almost certainly wrong?

Mr Deputy Speaker (Mr Nigel Evans): No Minister has notified me that they wish to make a statement on this matter, or indeed on any other matter, but I am sure that those on the Treasury Bench will have heard exactly what the hon. Gentleman says.

Business without Debate

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

Mechanisms for Control

That this House takes note of European Union Document No. PE-CONS 64/10, relating to a Draft Regulation laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, which was agreed by the Council and Parliament at First Reading and formally adopted by the European Council on 14 February 2011; and supports the Government's approach to ensure Member States can examine and scrutinise fully implementing acts before they are adopted by the Commission.—(*Miss Chloe Smith.*)

Question agreed to.

PETITION

Abduction (Devlan and Caelan Spooner)

7.6 pm

Mark Lancaster (Milton Keynes North) (Con): I should like to present the petition of my constituent, Miss Alice Bramall, of Newton Blossomville, which is similar to one signed by 500 of my constituents.

The petition states:

The Petition of residents of Milton Keynes,

Declares that Mr Ken Spooner's children, Devlan and Caelan, were abducted to Zambia by their mother; notes the existence of a High Court Order requiring Devlan and Caelan to be returned to the UK.

The Petitioners therefore request that the House of Commons urges the Government to take all possible steps to ensure that the High Court Order in the case of Devlan and Caelan Spooner is enforced.

And the Petitioners remain, etc.

[P000922]

Power Line Technology Devices

Motion made, and Question proposed, That this House do now adjourn.—*(Miss Chloe Smith.)*

7.7 pm

Mark Lancaster (Milton Keynes North) (Con): It is a pleasure to introduce this timely and important debate in the House. Hon. Members who are intrigued by the title will perhaps read the first paragraph, so I should sum up the debate by highlighting my concern, and that of many organisations: Ofcom, and indeed successive Governments, have adopted a reactive approach to the increasing interference from power line technology devices. We urge the Government to take a more proactive approach.

The area that I represent could be deemed to be the home of radio communication. Milton Keynes, which includes the famous code breakers' base Bletchley Park, was integral in intercepting enemy messages during the second world war. The city is surrounded by listening stations—one of which, the Foreign and Commonwealth Office's Hanslope Park, continues to protect our country to this day.

Radio is paramount not just in preserving national security; nor is it merely the preserve of outposts around Milton Keynes. Across the world, such technology remains essential to all communication. The spectrum is invaluable in so many ways: to television, radio, mobile phones, the emergency services, the military and security services, hospital pagers, pilots' landing systems, and many more.

Shortwave radio has proven time and again to be a vital back-up when other communication systems crash in the aftermath of natural disasters or terrorist attacks. For example, radio was used in the immediate aftermath of the attack on New York on 9/11, and in 2005 radio was used to co-ordinate the relief effort following Hurricane Katrina. However, there are fears that the efficiency of radio communication is being jeopardised by the development of new technologies, specifically those known as power line telecommunication devices. PLTs use a home's mains electricity wiring to route internet and television around a household without using a data cable. As electricity wiring was not designed to carry radio signals, an unwanted by-product—interference—is emitted. That rasping hiss has the power severely to disrupt radio communication.

GCHQ, the BBC, the Civil Aviation Authority and even NATO are some of the bodies that have spoken out about PLTs' power to interfere with, and therefore impede, their highly essential work. We and our constituents might never have heard of PLTs or the noise they emit, but every single one of us is affected by, and relies on, radio, so this debate is relevant to us all.

As I said, PLT devices use the radio spectrum to send data signals via mains electricity supplies, and tend to come in the form of large mains plugs that can share the internet between computers or high-definition television between rooms, providing an alternative to lots of cables in the home. Most commonly they are provided by BT Vision packages, and it is estimated by the regulator Ofcom that there are about 1.8 million pairs of the equipment in use. In fact, the UK is one of the biggest users of in-home PLT devices in Europe. As mains wiring was not designed for carrying radio signals, PLTs cause it to leak radio signals into the air. All appliances leak interference to some extent, but when electric wiring is used to carry broadband, the levels of interference become a significant problem.

I have met constituents who are experts in the field. They can walk down the street with a radio and pinpoint which households are using PLT devices just from the noise emanating from the buildings. We are talking about the pollution of the 21st century. In previous centuries, we have fought smog with campaigns for clean air, and now we are seeing a battle for clean airwaves. My constituents are not alone in their concerns. As I said, there is a chorus of consensus on this issue. The Civil Aviation Authority has expressed concerns about the threat posed to its instrument landing systems. One briefing note states:

> "The CAA is concerned that interference originating from the legitimate operation of PLT could adversely impact aeronautical critical systems. Furthermore, it appears that should this occur, it may not be possible to resolve in a timely and safe manner."

Even if the effects of the PLT are mitigated—I will come to that later—the probability of interference is reduced to 1%, which might sound low, but in aeronautical terms it is still a significant safety risk. The threat posed to aircraft safety by radio interference has been taken very seriously in the past. For example, in October 2009, in my neighbouring constituency of South West Bedfordshire, Ofcom paid a visit to 12-year-old Nickie Chamberlain in Leighton Buzzard. His TV booster aerial, which was faulty, was emitting interference that caused pilots at nearby Luton airport to complain. Ofcom acted quickly.

Even NATO has investigated the effects of PLTs on its equipment. One report states that the noise coming from PLT devices

> "has the potential to cause problems for military HF (high frequency) radio communications and communication intelligence in all NATO countries".

The Radio Society of Great Britain has been highlighting concerns about PLTs' unwanted noise for 10 years. It clearly states that

> "it will not be possible to recover the damage done to the spectrum unless action is taken very quickly",

and that this "invaluable natural resource"—the spectrum—

> "is being consigned to history".

The BBC has also commissioned investigations into the effects of PLT devices. The most recent, published in March, described the "tearing" sound of the PLT, which at best was annoying and at worst made a broadcast programme incomprehensible.

However, the most damning indictment so far has come from GCHQ, which deemed PLTs

> "likely to cause a detrimental effect to part of the core business of this Department."

In a statement issued on 10 March, it concurred with others' view that the interference from these devices

> "was likely to pose a safety of life risk".

It concluded that PLTs

> "should not be available for sale/use within the EU".

However, when I asked, in a written question, for the Minister's opinion on that statement, I was informed that it had, intriguingly, been withdrawn. Just as PLTs have an odd effect on surrounding radios, the issue has had a curious effect on the associated authorities. GCHQ,

[Mark Lancaster]

as I said, expressed an unequivocal stance on the issue, but then withdrew it. Ofcom, too, is behaving rather strangely.

All electronic devices must adhere to the essential requirements—the Electromagnetic Compatibility Regulations 2006—which are based on the European electromagnetic compatibility directive. Ofcom was advised in a report it commissioned by ERA Technology in September 2008 that:

> "It is considered that the Ethernet Power Line Adapters do not meet the Essential Requirements of the EMC Directive; emissions could potentially cause interference to communications equipment."

However, Ofcom maintains that PLTs are not in breach, because it has investigated 227 complaints, and all but one have been resolved by BT engineers. There are, however, many problems with this methodology. First, these are isolated cases and small-scale investigations. However, the report bases findings on results from scientific experiments in the controlled conditions of electromagnetic compatibility test laboratories.

Secondly, as I hope my hon. Friend the Minister will agree, complaints tend to represent the tip of the iceberg. If one receives 10 complaints about an issue, they are likely to be indicative of scores of other qualms. Thirdly, what has happened shows that Ofcom is taking a reactive and not a proactive approach. Rather than heeding its own commission's report, which says that PLTs do not comply with the directive, and then seeking out breaches, it is relying on people to approach the regulator. Why is Ofcom judging PLTs' compliance not by the results of scientific experiments, but by the number of complaints that it has received? What other industry would prove the regulatory compliance of its products in that way?

The crucial point for my constituents is that Ofcom says that there are no relevant standards when it comes to PLTs and that it is waiting for the EU to formulate a "harmonised standard". The Minister recently told me in answer to a parliamentary question:

> "The Regulations do not set specific levels of interference".—[*Official Report*, 10 March 2011; Vol. 527, c. 1199W.]

However, there is a standard: EN 22022, which is listed under the EU electromagnetic compatibility directive—or EMC directive—for controlling interference from data communication products such as PLTs.

Jim Shannon (Strangford) (DUP): The hon. Gentleman has mentioned health and safety on a number of occasions in his presentation to the House this evening. Does he see local government as having an enforcement role in responding to health and safety issues?

Mark Lancaster: The hon. Gentleman makes a valid point that perhaps the Minister will address when he winds up.

The EN 22022 standard includes a threshold that has been agreed internationally for decades, and the ERA test report said that PLTs exceeded it. In fact, the acceptable level of interference was surpassed by 30 dB. I am told that that equates to 1,000 times the interference power that any other domestic product is permitted. Why are we waiting for a new standard when there is already one in place?

Another problem is that Ofcom is basing its stance on the current situation, not future projections. However, the interference caused by PLTs is set to get worse, for various reasons. First, more and more people will sign up for television and internet packages that use PLTs, which are set to figure highly in the YouView package due to be launched next year. One report, which I will discuss shortly, estimates that the number of PLT users per square kilometre will increase from 159 in 2010 to a massive 703 in 2020. Secondly, as different PLT manufacturers compete to provide better services the interference will get worse, because they will be using a greater part of the spectrum. They are already veering into the very high frequency range, which has reportedly increased interference. Thirdly, PLT devices are being discussed as a way of communicating information about energy usage as part of smart grid technology, or as a way of providing data-linking between appliances around a house.

Ofcom's stance on PLT devices is also at variance with the conclusions of a report that it commissioned PA Consulting Group to undertake in June 2010. Ofcom claims that the current situation is acceptable because there are fewer complaints, in spite of a higher uptake of PLT units. Conversely, however, the PA report said:

> "there will be a high probability of interference to some existing spectrum users…if PLT device features do not change from those currently implemented".

PA recommends that in future, inference will be staved off only if devices are manufactured with mitigating features such as power control. I would be grateful if the Minister could say whether that has been put in place. PA also says:

> "notches in the VHF aeronautical radio navigation bands should be mandated".

Does the Minister know whether that has taken place? If mitigation is so essential, what does Ofcom propose to do about devices that are already in use—the ones that are circulated second hand or manufactured abroad, none of which will have mitigating technology? The PA report warns:

> "it should not be assumed that the existing installed base is traceable or could be updated to incorporate these features".

Moreover, what investigations have taken place into the efficacy of notching, considering that it is disputed whether this technique actually works? The Radio Society of Great Britain says that these technologies are "unproven" and that

> "in the home their effectiveness in reducing interference to radio services will be much reduced".

I would like to know whether the Minister has liaised with his colleagues heading up the excellent Digital Britain initiative. The current fibre-to-the-cabinet broadband upgrades that are being rolled out—some in my constituency, which is very welcome—share part of the same spectrum as PLTs. A report by the European Telecommunications Standards Institute showed that PLTs can interfere with this new technology. BT may well be rolling out products that do not work alongside each other.

The problem is not without precedent. Every time a new technology is introduced, it impacts on existing technology, not least in the world of radio communications. In the early 1890s, spark transmitter radios were all the rage, until the cacophony became overpowering and legislation had to be introduced. Fifty years later, when cars and televisions were new and exciting inventions, people's television pictures could be distorted by the spark plugs of a passing car. Soon after, suppressors were introduced for all cars.

In 2011 we are replete with electronic devices. We want to do everything faster, and simultaneously. We want to watch our high-definition televisions while surfing the net and using our smartphones. The radio waves are crowded, competing with one another. We have an electromagnetic compatibility directive that has hitherto kept interference in check. The Department says that the directive does not specify acceptable interference levels, but the standards that it lists do, and experts in the field have been using them for many decades. The aforementioned ERA report shows that PLTs inherently breach that threshold.

Ofcom seems to place great importance on the fact that the complaints have been received from users of shortwave broadcasts and hobby radio users, but the security services can pick up the shortwave broadcasts of terrorists, pilots use shortwave broadcasts to help them to land their aircraft, and ships have sent distress signals half way across the world using these frequencies. We need to clear the way for such essential radio messages to be made or traced, and not allow their paths to be blocked by radio pollution.

Will the Minister acknowledge that this is an issue of great concern? Will he promise to base his stance on PLTs not merely on the number of current complaints, but on the results of scientific experiments, on the conclusions of expert reports based on well-established interference limits, on the strength of feeling from experts in the field, and on the projections for the future number and usage of these devices? Will he also instigate some form of market surveillance? Instead of reacting only to individual complaints, will he initiate a holistic assessment of the proliferation of PLTs? Will he reconsider the fact that there are thresholds in place for interference, and that PLTs currently do not meet those standards? Finally, will he liaise with other Departments to press for category 5 broadband cables to be installed in all new homes as standard? This whole issue strikes me as a result of short-termism, with homes having to be retrofitted with technology. There is no reason why we should not plan ahead and create a suitable data infrastructure, rather than continuing with unsuitable piggybacking on existing technology.

7.22 pm

The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk): I congratulate my hon. Friend the Member for Milton Keynes North (Mark Lancaster) not only on securing this important debate but on his highly informed speech. I will try to respond to the specific points that he has raised, but perhaps it might help the House if I first set out some background on power line technology products, the Government's policy on this matter and the potential impact for the radio spectrum.

The main applications of power line technology are in home networking—we are all familiar with local area networks—as well as smart metering, with which we are becoming increasingly familiar, and home automation. This is a global technology, responding to consumer demand, and we see it being used not only here in the UK but in the rest of Europe, in the United States and in Australia. The use of PLT enables the increased delivery of digital services, including broadband access, smart metering, and television services from companies such as BT. One of the practical benefits of PLT is that it frees the user from a fixed location.

It is acknowledged that as PLT moves to higher frequencies, above 30 MHz, there is increased potential for interference, although as my hon. Friend pointed out, this is the case not just with PLT but with a wide variety of new and emerging electronic systems. Experiments by the BBC indicate there is some potential for localised interference. In practice, however, the evidence from people using the devices suggests that this problem is negligible. There are 1.8 million devices in service in the UK, but the number of complaints has been confined to a couple of hundred over the past three years. I shall turn to those in a moment. It is worth bearing in mind that those complaints are centred on a specific group of users, principally hobby radio amateurs, including those using citizens' band radio. That is not to say that this group is not important, but it suggests that the nature of the problem is confined. The experience in the UK is reflected elsewhere. For example, following complaints in Germany, the authorities investigated the situation, but declined to ban any products. In Austria, following a product challenge brought by the official regulator, the courts rejected the claim of non-conformity.

In common with most electronic products sold in the UK, power line technology equipment is required to comply with the Electromagnetic Compatibility Regulations 2006, which are based on the European electromagnetic compatibility directive of 2004. The essential requirements, which I know the House will want to understand, are that PLT equipment, to quote that regulation,

> "shall be designed and manufactured, having regard to the state of the art and good engineering practice, so as to ensure that the electromagnetic disturbance generated does not exceed the level above which radio and telecommunications equipment or other equipment cannot operate as intended."

The current regulations, as we have heard, do not set specific levels of interference; rather, they set objectives to ensure that properly designed radio systems will operate when other electrical equipment, such as PLT apparatus, is in use. The regulations are trying to remain flexible as this technology develops and adapts. Equally, not imposing a mandatory fixed standard allows the regulatory environment to adapt as experience of the use of this new technology emerges.

My hon. Friend referred to EN55022, and I am sure most Members are no more familiar with it than many Ministers have been over the years. Let me explain that, following discussions between the European Commission, member states and the industry, it was agreed that this standard could not apply to PLT equipment for a variety of technical and administrative reasons. The Commission has therefore asked the European standards organisations to adopt an appropriate standard. Until such time as a standard is available—it is logical that it will affect both the UK and the wider markets in which British manufacturers work—manufacturers will need to design products that meet the objective, taking into account key issues such as the extent of knowledge, the requirements of other users of the spectrum—an important principle—good engineering practice and the state of the art. This does mean that, for a period, there will be a lack of absolute certainty as to what is acceptable. Let me be clear, however, that should products be placed on

[Mr Mark Prisk]

the market that do not meet the objectives of the regulations—in other words, they cause unreasonable interference—those manufacturers should expect enforcement action to be taken.

Let me explain how enforcement works before coming on to the specific issues about GCHQ and others. In the United Kingdom, enforcement of protection of the radio spectrum for radio amateurs is now the responsibility of Ofcom, while the BBC is the relevant enforcement authority for interference with commercial broadcasts. Ofcom takes a proactive approach to its enforcement role, but it can take action, like any regulator, only where non-compliance can be shown.

As my hon. Friend has already stated, in June last year Ofcom commissioned an independent study, "The Likelihood and Extent of Radio Frequency Interference from In-Home PLT Devices", better to understand the technical aspects behind its impacts. The study broadly concluded that, provided that PLT equipment entering the market continues to advance technologically—this is the key point—there will be a "negligible" probability of interference to the majority of spectrum users in the coming 10 years. We all need to bear in mind that these advances in technology are often driven by consumer demand, as my hon. Friend rightly pointed out, and by the desire to produce more energy-efficient and therefore cheaper devices.

Mitigation techniques include fixed notching—limiting transmission to a part of the radio spectrum; smart notching—an automated scanning of the spectrum for free space; and power saving. In response to concerns raised by amateur radio users, including CB users, their bands are subject to fixed notching. As the use of PLTs and higher frequencies becomes more common, this situation might be revised and additional mitigation techniques such as smart notching could well become more prevalent and be applied more widely. This is likely to coincide with the development of a European standard.

Let me deal now with complaints. Between July 2008 and March this year, Ofcom received 228 complaints that were attributed to PLT devices. To be fair, this needs to be seen in the context of about 1.8 million pieces of PLT equipment supplied here. All the complaints about PLT have been referred to the supplier for resolution and all except one have been resolved. Furthermore, I am advised that all the complaints were received from hobby radio amateurs. Ofcom rightly points out that amateur radio licensees do not have an absolute legal right to an absolutely "clean spectrum". It is also worth noting that the number of complaints received over the last 12 months has been significantly less than during the previous 12 months—from 147 down to 53—even though, as my hon. Friend said, there has been an increasing rate of supply of this equipment.

My hon. Friend mentioned his constituent in the Bedford area. Reference to problems caused by television aerial boosters serves to remind us that many products in common use do cause problems. In this instance Ofcom was able to take prompt action, which I think is a sign that it is not being merely reactive.

Let me now deal with more serious issues relating to GCHQ and the Civil Aviation Authority. The GCHQ statement was issued by a staff member without proper authority, and contained inaccuracies. It has therefore subsequently been withdrawn. I am advised that the statement does not reflect the position of GCHQ, which has informed my Department that PLT is not currently affecting its capability.

The CAA has now specifically stated that it does not endorse or support the comments in the withdrawn GCHQ statement to which my hon. Friend referred. I accept that it is important to safety in aerospace, which he rightly mentioned, for all potential risks to be considered carefully, and the Government are clear about that. The CAA tells me that at present it has no evidence that a problem exists, but this is a new technology, and I can tell my hon. Friend that the CAA intends to undertake further testing as the higher-frequency products emerge on the market.

When I looked into the issue in preparation for the debate, I was encouraged to learn that the Ministry of Defence, the police and the fire and rescue, ambulance, coastguard and lifeboat services have all reported no complaints about interference. That breadth of evidence seems to me to support the conclusion that the problem is limited to a particular group of people. It is not a case of complacency; it is, as I know my hon. Friend will understand, a case of trying to judge the proportion of the risk.

My hon. Friend raised the important question of co-ordination in the context of the development of category 5. The Digital Britain team emanated largely from my Department, and we have close links with it as well as the Department for Culture, Media and Sport and the Department for Transport. Ofcom tells me that it regularly consults all the relevant public and private stakeholders, including GCHQ, the CAA and the Radio Society of Great Britain.

My hon. Friend asked whether category 5 broadband cables would be installed as standard practice in all new homes. I am advised that that initiative was part of the programme of the Digital Britain team. It must be said that although dedicated cabling may be the best engineering solution, it is not generally practicable to install it in existing homes without significant cost or disruption. For new build and rewiring it may make sense, but the rising cost of copper may make it prohibitively expensive.

As with all potential sources of interference in the radio spectrum, users, especially those with the potential to affect security and safety-critical systems, we take our responsibilities seriously. The current regulatory regime is more flexible than some users may wish it to be, but that is for a good reason. As I have said, it must be able to adapt to changes in technology and its use. The Government intend to monitor the situation carefully, principally via Ofcom. Ofcom will continue to address any complaints that arise, but so far it has concluded that the technology complies with the requirements of the legislation, and that the few instances of difficulty should be dealt with on a case-by-case basis.

The Government will continue to pay attention to the concerns of complainants, but we believe that a ban on PLT products would be wholly disproportionate. Let me put it simply: our approach is to be vigilant in monitoring the situation and proportionate in enforcement.

Question put and agreed to.

7.35 pm

House adjourned.

House of Commons

Thursday 19 May 2011

The House met at half-past Ten o'clock

PRAYERS

[Mr Speaker *in the Chair*]

Oral Answers to Questions

ENERGY AND CLIMATE CHANGE

The Secretary of State was asked—

Green Deal

1. **Dr Julian Huppert** (Cambridge) (LD): When he expects the green deal scheme to begin operation. [56251]

The Secretary of State for Energy and Climate Change (Chris Huhne): The Energy Bill, which was introduced to the House of Lords on 8 December 2010, contains the primary legislation of the new green deal proposal. Secondary legislation will allow the Government to implement and administer the requirements of the primary legislation and we intend to lay the secondary legislation before Parliament in March 2012 so that it will be in place to underpin the delivery of the green deal for October 2012. The timetable is naturally subject to the time taken for parliamentary scrutiny.

Dr Huppert: I thank the Secretary of State for his comments. What opportunities will the green deal provide for smaller, innovative and high-tech companies, and how many jobs will be available in that sector as a result of the green deal?

Chris Huhne: The green deal will, I think, be a real game changer. It will provide a framework that will enable billions of pounds of investment in retrofitting our homes and businesses across the country. Everywhere we have homes—that obviously means every part of the country—there will be new business opportunities. It is important to develop the supply chains in the energy saving industries, such as for solid wall insulation, and innovative products, as well as to reduce our dependence on imported energy. We are determined to ensure that small businesses can participate in the benefits that the green deal will bring.

Joan Ruddock (Lewisham, Deptford) (Lab): The Secretary of State will know that his Labour predecessors, of which I was one, developed a similar ambitious programme for domestic energy efficiency, but because of the complexity of financing such deals, we believed that pilot projects were necessary and set them up, involving 500 homes. What has he learned from those pilots?

Chris Huhne: I pay tribute to the work done under the previous Government. The fundamental principles of the green deal are cross-party and I welcome that because it provides comfort to investors that they know there will not be a sudden change in the framework. I welcome the Opposition's input on this.

On finance, we have had many discussions and looked at the results of pilots, including the British Gas pilot. The business model that we are proposing is particularly interesting because the key thing is that if some of the bigger players can get the cost of a substantial number of green deals off their own balance sheets they will be able to securitise flows in the bond market, which will provide a regular flow of cheap finance for all the green deal providers.

2. **Catherine McKinnell** (Newcastle upon Tyne North) (Lab): What steps he plans to take to ensure consumer confidence in the green deal scheme. [56252]

The Secretary of State for Energy and Climate Change (Chris Huhne): Consumer confidence will be vital for the green deal. In developing secondary legislation, we will support this by ensuring consumer protection and redress mechanisms are in place. For example, our licensing arrangements will require providers to work to a green deal code, which will require they use only accredited assessors and installers.

Catherine McKinnell: I thank the Secretary of State for that answer. I recently met the National Federation of Roofing Contractors to discuss my Apprenticeships and Skills (Public Procurement Contracts) Bill and people raised concerns about potential loopholes in the green deal, ensuring the right measures are selected for installation, ensuring the quality of installations, and accountability for the work. Will the Secretary of State explain what he is doing to close the loopholes in order to ensure consumer confidence?

Chris Huhne: My officials are in contact with a wide range of interests and I am happy to meet, and to ensure that my officials meet, the people the hon. Lady has mentioned. We obviously want to ensure that there are no loopholes and we have done a lot. The licensing arrangement and the green deal code, as I have mentioned, will be important. The Consumer Credit Act 1974 will extend to the green deal, and the golden rule that forms part of the green deal ensures that the expected savings will always at least match the costs. The Energy Bill includes strong requirements to disclose the presence of a future charge to bill payers and the accreditation process will also allow guarantees for the work carried out, for example. We will establish an independent advice line that will also support customers seeking redress. The hon. Lady should remember that all that is in addition to the normal protections for consumers through, for example, the Consumer Protection from Unfair Trading Regulations 2008 and the Unfair Terms in Consumer Contracts Regulations 1999.

Andrew George (St Ives) (LD): My right hon. Friend will be aware that a number of places in the country, including Cornwall, are particularly ambitious to forge ahead with the green deal. Other than the constraints on the capacity of assessors and fitters, will any other impediments be faced by those parts of the country that particularly want to embrace this great opportunity?

Chris Huhne: I am grateful for my hon. Friend's question. We are working through literally every possible impediment, as we are in other areas of the economy in which my Department particularly wants to see a transition to a low-carbon economy, to understand best what the impediments might be and to remove them. I am absolutely confident that when it comes to the launch of the green deal in October 2012 there will be enormous opportunities for Cornwall. The only constraint is going to be making sure that there are enough people who are trained properly to accredit, assess and install the green deal. I am confident that the finance will be available and it is important that we make as much progress as we can.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Consumer confidence is vital to ensuring that the green deal is a success. We know that Ministers were discussing possible incentives at around the time of the Budget to encourage green deal take-up and the Chancellor alluded to that in his Budget speech, but no concrete announcements have yet been made. Will the Secretary of State give us any further details today about how home owners and tenants will be incentivised in order for the green deal to meet the Government's ambitions?

Chris Huhne: Under the terms of the energy company obligation in the Energy Bill, there is capacity for the companies that are subject to the ECO to bring forward incentives. The Chancellor has, as the hon. Lady pointed out, rightly made a commitment to consider incentivisation. She will also be aware that we made announcements on the Energy Bill's Second Reading to bring forward some quite important incentives for the private rental sector, particularly for F and G-rated properties. All those measures will get the scheme off to a flying start.

Robert Halfon (Harlow) (Con): My hard-pressed constituents in Harlow will strongly welcome the green deal, but how will consumers be informed how to apply for it and how it will work?

Chris Huhne: I think we will have a lot of interest from consumers precisely because of the important golden rule that this will benefit consumers—that the energy savings as a result of the green deal will outstrip the assessed costs of the installation. I think there will be a lot of buzz around the green deal. A lot of potential suppliers, such as B&Q, are very interested. As people move house and go to B&Q and look at what they might do for their kitchen or bathroom, they might also, at that point, have the opportunity to sign up for a green deal. I think it will spread very quickly through word of mouth, and that is why it is so important to get consumer confidence.

Energy Company Obligation

3. **Nick Smith** (Blaenau Gwent) (Lab): How much funding he expects to be made available to households in fuel poverty through the energy company obligation in its first year of operation. [56253]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): The ECO is being designed specifically to tackle fuel poverty and hard-to-treat homes. Although it is too early to set exact numbers for the scheme ahead of our consultation on the ECO in autumn I fully expect a far greater level of resource to be brought to bear on the fuel-poor than was previously the case under the carbon emissions reduction target or Warm Front.

Nick Smith: I thank the Minister for his reply. Parts of Blaenau Gwent are 1,200 feet above sea level and it gets cold in winter. Given the established relationship between excess winter deaths and low indoor temperature, and given that the UK has a higher rate of such deaths than Scandinavian countries, will he ensure that the ECO prioritises a reduction in excess winter deaths?

Gregory Barker: The hon. Gentleman raises a very important point. As I also sit on the Cabinet Office's Public Health Sub-Committee, I am very aware of the issue he raises. That is why we are absolutely clear that the ECO must be focused on the fuel-poor and hard-to-treat homes and why we must have an impact on exactly the statistic that he mentions in relation to his constituency.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): We have just heard twice from the Minister that the ECO will be used specifically to tackle hard-to-treat homes and fuel poverty, but unfortunately this week we have heard worrying rumours that the ECO will not be used exclusively to tackle fuel poverty and hard-to-treat homes. Consumer Focus recently estimated that to tackle just over a third of non-cavity-wall homes in the UK would require an ECO investment of more than £7 billion. That underlines the scale of the challenge that the ECO needs to meet. Will the Minister guarantee today that the ECO will be used only to tackle fuel poverty and hard-to-treat homes and not to subsidise banks providing green deal finance?

Gregory Barker: I do not think I could be clearer than to say that the focus of this new measure, unlike the CERT programme brought in by the previous Government, which we had to reform considerably when we came to office, will be on fuel poverty and hard-to-treat homes. We are absolutely clear about that and the measure is going to be much more effective than any measure that the Labour party introduced.

Renewable Heat Incentive

4. **Stephen Mosley** (City of Chester) (Con): What contribution he expects the renewable heat incentive to make to the Government's targets for greenhouse gas emission reductions. [56254]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): We expect installations in industrial and commercial buildings to achieve cumulative carbon dioxide savings of 44 million tonnes of CO_2 by 2020. It is harder to forecast reductions for the domestic sector, but we hope to achieve a cumulative reduction of at least 2.5 million tonnes by 2020 also.

Stephen Mosley: I thank the Minister for his response, but I have one concern about the renewable heat incentive. We are proposing to introduce the premium payment scheme in July, which will run for 15 months until it is replaced by the green deal and the RHI tariff next October. Will he reassure people who are considering taking out the RHI premium payment scheme that they will automatically qualify for the RHI tariff when it is introduced next October?

Gregory Barker: I am extremely grateful to my hon. Friend for raising this important point, not least because we hope that more than 25,000 people will take advantage of the premium payments. Providing that they comply with the terms of the payment, they will certainly be able to qualify for the RHI tariff.

Mr Geoffrey Robinson (Coventry North West) (Lab): The Minister will be aware that there is a sort of hiatus in the industry at the moment among consumers, as the previous question from the hon. Member for City of Chester (Stephen Mosley) indicated, because they do not know what the tariff will be and we do not have an absolute commitment that its introduction will coincide with that of the green deal next October. Can he confirm that the tariff will definitely come in and, in the interim, at least let us have details of what it will be in order to restore confidence, the lack of which is currently holding the whole scheme back?

Gregory Barker: I can certainly assure the hon. Gentleman that the tariffs will kick in alongside the green deal in autumn next year and that we will publish the rates of the tariffs this September. Premium payments are a really good way of ensuring that we dovetail strong consumer safeguards while priming new technologies.

Green Deal

5. **Steve Rotheram** (Liverpool, Walton) (Lab): What steps he plans to take to ensure that householders who participate in the green deal scheme have access to an appropriate redress scheme in respect of any inadequate work carried out. [56255]

The Secretary of State for Energy and Climate Change (Chris Huhne): I refer the hon. Gentleman to the answer I gave the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) some moments ago.

Steve Rotheram: I thank the Secretary of State for his response. Without proper consumer protections, the green deal will become a white elephant, so can he further outline how the Government will stop the scheme becoming a cowboys' charter, with unscrupulous suppliers preying on the most vulnerable in society?

Chris Huhne: Mr Speaker, I think I tested your patience with the length of my previous answer to a similar question, so I will not go through the list again, but we have put in place a substantial set of measures that will allow redress, including an advice line and all the normal protections, such as the ability to go through the small claims court and to the energy ombudsman. All of those are available to consumers. I agree with the hon. Gentleman on one key point: consumer confidence in this scheme will be absolutely crucial. We do not want any repeat of the sorts of examples there were when the Labour Government in Australia introduced a similar scheme, which was indeed a cowboys' charter.

Andrew Bridgen (North West Leicestershire) (Con): What discussions has my right hon. Friend had with the Office of Fair Trading, which will regulate green deal providers, to ensure that credit is only offered responsibly?

Chris Huhne: The credit will be regulated under the Consumer Credit Act, but the provisions are very clear. I do not think that my officials have had direct contact with the OFT, but it of course has an important monitoring role to ensure that those rules are observed.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Why, oh why, can the Government not learn from past success, such as what happened in Huddersfield and Kirklees with Warm Zone, which was a highly successful scheme? Why can we not take the best elements of that and put them into the current legislation to get the best possible option?

Chris Huhne: We are absolutely determined to ensure that, where a local authority wants to lead from the front with neighbourhood schemes of the sort the hon. Gentleman has mentioned, they are enabled, quite rightly, to go ahead. They will have access to the finance available under the green deal and I very much hope that go-ahead local authorities, whether in his constituency, in Cornwall or anywhere else in the country, will lead this exercise, because there are enormous opportunities. That is good for residents, for energy saving across the country as a whole and for local jobs.

Green Deal and Renewable Heat Incentive

6. **Mr Robin Walker** (Worcester) (Con): What assessment he has made of the likely effect on investment in green jobs and technologies of the green deal and renewable heat incentive schemes. [56256]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): We estimate that the green deal could drive up to £20 billion of investment by 2020 and support more than 125,000 jobs across the supply chain. In addition, by 2020 the renewable heat incentive scheme should lead to up to £7.5 billion of new capital investment in heat technologies and potentially support 150,000 manufacturing, supply chain and installer jobs, not least in Worcester Bosch in my hon. Friend's constituency.

Mr Walker: Following the welcome decision of the regional growth fund to approve investments of almost £18 million in the Worcester technology park project, the one remaining hurdle for the creation of thousands of new green jobs in Worcester is the approval of the board of Bosch. What message would the Minister send to that board and to other overseas investors about Britain's commitment to green growth and jobs?

Gregory Barker: My hon. Friend is a real champion of green growth, and I can tell him unequivocally that, although we have set an ambitious carbon budget, under this coalition decarbonisation must not mean deindustrialisation—far from it. We are committed to creating a framework for more advanced manufacturing jobs to power green growth and to make Britain once again a workshop of the world.

Mr Iain Wright (Hartlepool) (Lab): Why in the past year has Britain slipped from third in the world to 13th in terms of investment in green industry?

Gregory Barker: I am afraid that it will be very difficult to shake a legacy of 13 years of Labour government, and the hon. Gentleman will know that we slipped massively down the table of world manufacturing during his party's time in government. We are having to put this country on a different trajectory, and that means a slight hiatus while we change course, but when we have changed course and our new measures are in place we will be primed for success and will turn around the miserable failure of the Labour years.

Carbon Capture and Storage

7. **Pamela Nash** (Airdrie and Shotts) (Lab): What plans he has for the future of carbon capture and storage; and if he will make a statement. [56257]

13. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What plans he has for the future of carbon capture and storage. [56264]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): CCS has the potential to play a very significant role in our future energy mix. The Government are committed to public sector investment in CCS technology for four power stations, including both coal and gas. We aim to reach agreement on the first project and to launch the competition for projects 2 to 4 later this year. We will also publish a CCS road map this autumn.

Pamela Nash: I thank the Minister for that answer, but is he completely confident that the introduction of a carbon floor price will not result in the collapse of future investment in carbon capture and storage?

Charles Hendry: The hon. Lady raises an extremely important issue. We are actively discussing that with the companies involved in project 1, and we believe that we can find a way through it to ensure that those plants have a long-term viable future, but I hope she agrees that we are right to be making the future price of carbon clear.

Chi Onwurah: As the former managing director of a risk rating agency, the Secretary of State must be well aware of the corrosive effect of uncertainty on any business, yet he refuses to give green energy the clarity it needs on carbon capture and storage. After the photovoltaic fiasco, the "carbon four" coup and the building regulation bombshell, has he lost all credibility among the green industries?

Charles Hendry: That is a quite extraordinary question. The Secretary of State has shown real leadership on those issues. In the course of a year, £1 billion not previously available has been made available for carbon capture; we have set up an office of carbon capture and storage to drive forward that work; we have set up a development forum with the industry; we have put in place a regulator framework; and we are putting in place a road map in order to know what needs to happen. In place of the rhetoric and ambition under the previous Government, we are delivering action.

Eco Island Initiative

8. **Mr Andrew Turner** (Isle of Wight) (Con): What recent assessment he has made of the Isle of Wight's eco island initiative. [56259]

The Secretary of State for Energy and Climate Change (Chris Huhne): I recently visited my hon. Friend's constituency and met several businesses and individuals involved in the Isle of Wight eco island initiative. I applaud the initiative, which is showing real leadership in bringing the local community and businesses together, in reducing carbon emissions and in helping to build a prosperous low-carbon economy.

Mr Turner: Will the Secretary of State join me in congratulating David Green on the way in which he is moving the eco island initiative forward, and will my right hon. Friend visit the island again to see for himself not only the eco island project, but other green technology companies?

Chris Huhne: I am grateful to my hon. Friend for that question. As he knows, I can see the island from my constituency, and I suspect that another visit is not going to be that far off, but I certainly do join him in congratulating David Green. The Department of Energy and Climate Change has been very pleased to support carbon reduction on the Isle of Wight with a £500,000 grant, for example, through the low-carbon communities challenge, which has been used to install renewable measures in a number of properties in the village of Chale Green. I am very impressed by the way in which the whole initiative is beginning to take off and to have a real local impact.

Electric Vehicles

9. **Andrew Selous** (South West Bedfordshire) (Con): What recent discussions he has had with the Chancellor of the Exchequer on any fiscal incentives to support achievement of the Committee on Climate Change's target number of electric vehicles in 2020. [56260]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): Fiscal incentives are a matter for the Treasury, but DECC has a strong interest in encouraging the take-up of electric vehicles. We work closely with the Department for Transport, which has lead responsibility for the policy, but we regularly meet companies leading the development and deployment of cutting-edge low-carbon vehicle technologies.

Andrew Selous: Electric cars will play an important part in reducing carbon emissions, they are an important part of green growth, and they can reduce the costs of motoring for our constituents. The Committee on Climate Change has called for 1.7 million electric cars by 2020—quite a lot fewer than Japan and Israel. How does my hon. Friend see us meeting that target?

Gregory Barker: My hon. Friend is a powerful advocate for this agenda and speaks with considerable authority. He will know that in the last comprehensive spending review we announced over £400 million of measures to promote the take-up of ultra low-carbon vehicles, in addition to exempting them from road tax, company car tax and the congestion charge, and now we have a consumer grant of up to £5,000 per vehicle and a £30 million investment in infrastructure. Then, on top of that, later this summer, in line with the coalition agreement commitment to mandate a national recharging network, we will be publishing a strategy for promoting the roll-out of charging infrastructure.

Bill Esterson (Sefton Central) (Lab): I will resist the temptation to ask whether it is easier to stay within the speed limit in an electric car. Instead, I will ask what is the best way to make electric cars more efficient in their use of energy given that the electricity still has to be generated and that we still rely on burning fossil fuels for much of our energy.

Gregory Barker: Ultimately, it will be the decarbonisation of the energy sector that will ensure that electric cars become genuinely low or zero-carbon vehicles. With the publication of the fourth carbon budget, we now have the long-term trajectory in place to ensure that we reach our ambitious decarbonisation goals.

Independent Fuel Poverty Review

10. **Roger Williams** (Brecon and Radnorshire) (LD): When he expects to receive the recommendations of the independent fuel poverty review. [56261]

14. **Mr David Amess** (Southend West) (Con): When he expects to receive the recommendations of the independent fuel poverty review. [56265]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): My right hon. Friend the Secretary of State has asked Professor Hills of the London School of Economics to lead the independent fuel poverty review and to provide interim findings by this autumn and a final report by early 2012 at the latest.

Roger Williams: I thank the Minister for that reply. I understand that the author of the report has been asked to demonstrate how fuel poverty can be removed entirely within 15 years. Many constituents of mine live in homes that are off mains gas and are hard to heat. Will the green deal have enough capacity to meet that target and eliminate this scourge of rural areas?

Gregory Barker: Absolutely. The rural fuel-poor, who for many years have been overlooked by fuel poverty policies, and who suffer particularly from high heating-oil prices and from hard-to-heat homes, will particularly benefit from the green deal and from the renewable heat incentive. Under the coalition, it is a double win for the rural fuel-poor.

Mr Amess: As the promoter of the Warm Homes and Energy Conservation Act 2000, my hon. Friend will understand my disappointment that fuel poverty has not been eliminated. Will he take the opportunity, through the Committee and Report stage of the Energy Bill and through the green deal, to ensure that a clear delivery plan is enshrined in legislation to eliminate fuel poverty?

Gregory Barker: That piece of landmark legislation, which my hon. Friend got on to the statute book having had long experience in these matters, will be an important part of our strategy for delivering a green deal programme that will bear down on and eventually eliminate fuel poverty. I can assure him that unlike the Labour Government, who allowed the Home Energy Conservation Act 1995 to languish on the statute book and be frittered away, we will ensure that the legislation is used effectively and that there is far greater co-ordination and collaboration between local government and us at the centre.

Caroline Lucas (Brighton, Pavilion) (Green): When the Warm Front scheme is closed down, it will be the first time in 30 years that there has not been a Treasury-funded scheme to tackle fuel poverty, which is a major problem in constituencies such as mine. Will the Minister do all he can to persuade the Treasury to take its fair share of the cost of cutting poverty so that the full funding burden is not regressively applied to energy bills, thus hitting the poorest hardest?

Gregory Barker: Sadly, we know that in the past Warm Front has not been effective. Let us face it, more than 90 Members from all sides of the House, including Labour Front Benchers, have written to me to complain about it. Were we to carry on relying on Warm Front alone, it would take more than 80 years to treat homes which, under the green deal, we expect to treat by 2030. I have to say to the hon. Lady that there is funding next year, the year after and the year after that for Warm Front, but the real driver for eliminating fuel poverty will be the green deal and the ECO that underpins it.

Dr Alan Whitehead (Southampton, Test) (Lab): What action does the Minister propose to take to ensure that the energy company obligation does not put more people into fuel poverty, as a result of the effect that the imposition of the levy will have on their bills, than it takes out? Will he consider rising block tariffs as a method of imposing levies, rather than an imposition on standing charges, which would have a particular effect on those in fuel poverty?

Gregory Barker: The hon. Gentleman speaks with great authority on this subject and is recognised as an expert, but we have considered block tariffs and do not believe that they are effective. The warm home discount is available, however, which will be worth more than £1 billion to the fuel-poor over the spending period. We expect it to help up to 2 million households a year. His point about levies is well made, and we have paid particular attention to that issue. That is why, unlike under the Labour proposals, the RHI will be funded out of general taxation, which we believe will be more progressive.

Offshore Wind Farms

11. **Mr Philip Hollobone** (Kettering) (Con): If he will develop incentives to encourage the siting of wind farms offshore. [56262]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): Offshore wind is currently supported under the renewables obligation, and we have brought forward the banding review to determine future support to realise the full potential of this vital sector. Through electricity market reform, we are working on more enduring support for low-carbon electricity generation and we will publish a White Paper before the summer recess. I chair the Offshore Wind Developers Forum, which is working to identify barriers that need to be addressed.

Mr Hollobone: According to the Government's figures, by 2020 they expect there to be 14 GW of onshore wind capacity and 13 GW of offshore wind capacity. My constituents and, I suspect, many Members in this House would like there to be far more wind turbines offshore than onshore, because it is windier offshore and offshore wind turbines do not despoil the British countryside.

Charles Hendry: My hon. Friend has picked up on one of the five or six scenarios that we put forward on how we can meet our 2050 targets. I understand his concerns, but we also have to take account of cost. Offshore wind costs about twice as much as onshore wind. We need to be aware of the interests of consumers, who have to pay the bills.

Kerry McCarthy (Bristol East) (Lab): The Committee on Climate Change has said that the Government should reduce by several gigawatts their target of a 13 GW capacity for offshore wind electricity generation by 2020, precisely because of that expense. Will the Minister assure the House that if that target is abandoned, he will do all he can to ensure that onshore wind farms are not blocked by nimbyism in Tory and Lib Dem-controlled councils?

Charles Hendry: The hon. Lady raises an issue that is of concern to Members from all parts of the House. There is a realisation about the impact of onshore wind farms. We want there to be more onshore wind farms, but we are determined to ensure that they are built in the most appropriate locations and that there is support for the communities that host them.

Gordon Henderson (Sittingbourne and Sheppey) (Con): My hon. Friend will be aware of the good news that the Danish company, Vestas, has announced its intention to set up a wind turbine factory in my constituency, which will create 2,000 much-needed jobs. However, the project is conditional on a number of factors, including the Government delivering stability in the market, and long-term political and regulatory certainty. What assurances can my hon. Friend give Vestas to help us seal the deal and turn that good news into very good news?

Charles Hendry: My hon. Friend highlights one of the investment opportunities that is coming through as a result of our approach of wanting a supply chain industry to develop for the offshore wind sector in this country. That news is very encouraging. I reassure Vestas that the area of Sheerness has a dedicated and able work force, an absolute champion in its Member of Parliament, and a supportive Government who want to see this matter move forward.

Huw Irranca-Davies (Ogmore) (Lab): The Opposition share the Minister's ambitions on offshore wind, which is no surprise given that it is our policy as well, and on renewables generally. How does he react to the news that renewables investment in the UK plummeted by 70% last year under the coalition Government; that we have dropped from third to 13th in the global rankings for renewables investment; and that a report on the coalition's green promises shows little or no progress on three quarters of its promises? What now for the greenest Government ever?

Charles Hendry: The hon. Gentleman will be aware that the funding mechanism of renewables obligation certificates that we inherited has a cliff edge in 2013, and we have tried to give investors certainty beyond that point. It is clear that in the case of many renewable technologies, people have been unable to build structures because the system was to change in 2013. They did not know what the regime was going to be afterwards. That is why we have brought forward the banding review—to give investors long-term certainty and introduce market reform at the same time.

Gas Supply

12. **Eric Ollerenshaw** (Lancaster and Fleetwood) (Con): What recent assessment he has made of the security of the UK's gas supply; and if he will make a statement. [56263]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): The statutory security of supply report, published in November, is a joint report of the Department of Energy and Climate Change and Ofgem. It gives a full account of the Government's latest assessment of the availability of gas to meet the reasonable demands of United Kingdom consumers. It concludes that the outlook for gas supplies is broadly benign but not without risks. The Government keep security of supply under constant review and have proposed measures in the current Energy Bill to further enhance our gas security.

Eric Ollerenshaw: I thank the Minister and accept that the gas supply is a vital part of our future energy needs, but will he reassure me and, more importantly, my constituents that their concerns and their safety will remain paramount considerations in decisions on gas storage sites?

Charles Hendry: I can absolutely assure my hon. Friend that security and safety are priorities for the Government in developing gas storage facilities. We do need more such facilities; a number are under construction and a number more have been given consent. The planning process will ensure that safety issues are a priority in that work.

Michael Connarty (Linlithgow and East Falkirk) (Lab): Does the Minister accept that the £2 billion robbery of taxation from the North sea oilfields is now threatening the gas supply from that area? Total has told me that it would not have invested in the west of Shetland area if it had known about that tax. The Treasury's latest proposal to tax every flight that a person takes out into the North sea will further threaten supplies. Will he intervene with the Treasury to stop it robbing North sea oil?

Charles Hendry: The hon. Gentleman talks about a robbery. I assume that he is going around telling his constituents that he would rather the Chancellor had not reduced fuel duty and cancelled some of Labour's planned rises. We are determined to ensure that there is ongoing investment, and there is discussion with the Treasury about field allowances. The helicopter issue that he mentions is in a consultation document, which will take its proper course.

National Policy Statements

15. **Damian Collins** (Folkestone and Hythe) (Con): When he plans to publish the national policy statements on energy. [56266]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): As my right hon. Friend the Secretary of State said in his statement yesterday, we are carefully considering Dr Weightman's interim report on the implications for the UK of events at Fukushima. Subject to that, we intend to lay the energy national policy statements before Parliament as soon as possible.

Damian Collins: In the extra time that the Minister probably now has available, will he consider giving greater consideration to the local economic benefits of nuclear power stations in the site-specific report, with particular regard to Dungeness and Romney Marsh in my constituency?

Charles Hendry: My hon. Friend is a doughty champion of the case for Dungeness. We have examined carefully the evidence that has come forward, and we will publish it when the relevant documents are republished very shortly. He will have to be patient for a little longer, but I assure him that we have given every attention to the evidence that has been presented to us.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Yesterday we heard the Secretary of State say that the national policy statements would be published shortly, and the Minister has repeated that today. With the stringent targets in the fourth carbon budget and the previous three, businesses need certainty if we are to meet our carbon reduction targets. Will the Minister be more precise and tell us exactly when the Department is planning to publish—not just "shortly", but a date?

Charles Hendry: The hon. Lady will be aware that given the nature of the report provided by Dr Weightman yesterday, it would be wrong to make premature and rushed conclusions. We have to go through the right process. We are in the current situation because the national policy statements that the last Government published contained a massive flaw that required them to be consulted upon again. We have had to go through that process, which has involved extra time and delay. However, we will bring them forward for full parliamentary scrutiny in the next few weeks.

Onshore Wind Energy

16. **Simon Hart** (Carmarthen West and South Pembrokeshire) (Con): What his policy is on onshore wind energy. [56267]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): Onshore wind energy is one of the most cost-effective renewable energy sources. The Government are committed to the growth of well-sited onshore wind in the UK as part of a diverse energy mix, but we will put greater emphasis on ensuring that investment goes where the resource is strongest and bringing more direct benefits to communities that host wind farms.

Simon Hart: The Localism Bill will allow communities in England to take a far greater part in the planning process. What assurance can the Minister give those of us in west Wales that the same opportunities will be open to us?

Charles Hendry: As my hon. Friend will be aware, that is a matter for the Welsh Assembly Government. I hope that they will look carefully at the detail of the Localism Bill to see our determination to bring real benefit to communities through the planning changes in England, and I hope that they will decide which of the measures in the Bill might be appropriate to bring similar benefits to people in Wales.

Energy Bill (Consumer Protection)

17. **Diana Johnson** (Kingston upon Hull North) (Lab): What recent representations he has received on the level of consumer protection afforded by provisions of the Energy Bill. [56268]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): Robust consumer protection is at the heart of the green deal, and will be enshrined in the Bill's provisions. Further details will be spelt out in secondary legislation later this autumn.

Diana Johnson: I listened carefully to what the Minister said earlier about redress being open to individuals through, for example, the county court, but I am pleased to hear that he recognises the importance of good, strong consumer protection set out in regulations. I very much hope that the Government introduce that and provide robust protection for consumers.

Gregory Barker: The hon. Lady makes some very good points. I am pleased to say that although we will publish the details later in the year, before the Bill is in Committee, I shall place in the House of Commons Library a paper summarising our approach to regulation and send her a copy.

Energy-intensive Industries

18. **Tristram Hunt** (Stoke-on-Trent Central) (Lab): If his Department will undertake an impact assessment of the effect of energy regulation on the competitiveness of energy-intensive industries. [56269]

The Minister of State, Department of Energy and Climate Change (Charles Hendry): The Government intend that UK-based energy-intensive industries will play a full part in, and benefit from, the transition to a low-carbon economy. My Department is working with the Department for Business, Innovation and Skills to develop measures to help to improve energy efficiency and reduce electricity costs for such important companies. As my right hon. Friend the Secretary of State announced on Tuesday, further announcements will be made by the end of the year.

Tristram Hunt: I thank the Minister for that reply, and may I also thank the Minister of State, Department of Energy and Climate Change, the hon. Member for Bexhill and Battle (Gregory Barker), who has responsibility for climate change, for the Government's decision to support the ceramics sector in Brussels today?

Businesses in my constituency welcome the Department for Business, Innovation and Skills-Department of Energy and Climate Change working party on energy-intensive industries, but will the Minister ensure that it focuses on international competitiveness, because our energy-intensive businesses simply cannot pass on unilateral energy costs in a global marketplace?

Charles Hendry: I thank the hon. Gentleman for his question, and for the work that he is doing to raise those important issues in the House and in the new parliamentary Committee. Without any doubt, we are profoundly concerned about the risk of carbon leakage. It would be absolutely absurd for British companies to move overseas, taking jobs with them, only for us to continue to import those products and for carbon emissions to go unabated or even worse in other parts of the world. That is why there is such clear, joined-up thinking between DECC, the Treasury and BIS to ensure that we come up with a comprehensive range of measures to support those critical industries.

Tidal Energy

19. **Jessica Morden** (Newport East) (Lab): What plans his Department has to generate tidal energy from the River Severn. [56270]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): Following a two-year feasibility study, the Government concluded that there was not a strong case for public investment in a Severn tidal power scheme in the immediate term. However, that does not preclude a privately financed scheme coming forward in the meantime, and we are actively talking to developers about their plans for various tidal energy schemes in the Severn.

Jessica Morden: The Government have decided against the Severn barrage, but it is important that we do not lose the impetus to harness tidal power in the Severn. Will the Minister give more detail on any discussions he has had with the Welsh Assembly Government on alternative plans? How far advanced are they?

Gregory Barker: I cannot give details of commercially confidential discussions, but we are encouraging developers to come forward with a range of proposals and looking to be as helpful as we can. The primary barrier to the previous proposal was the £34 billion cost, which in the current circumstances just did not seem feasible. However, we are trying to create a constructive framework for other, private proposals, and I would be happy to discuss the matter in more detail with the hon. Lady.

Green Deal

20. **Christopher Pincher** (Tamworth) (Con): By what date he expects proposed legislation to enact the green deal to enter into force. [56272]

The Secretary of State for Energy and Climate Change (Chris Huhne): The Energy Bill, which was introduced to the House of Lords on 8 December 2010, contains the primary legislation for the new green deal proposal. Secondary legislation will allow the Government to implement and administer the requirements of the primary legislation. We intend to lay the secondary legislation before Parliament in March 2012, so it will be in place to underpin the delivery of the green deal for October 2012. That timetable is naturally subject to the time taken for parliamentary scrutiny.

If I may clarify the answer I gave to the hon. Member for North West Leicestershire (Andrew Bridgen), I am informed that some DECC officials have indeed spoken to the Office of Fair Trading about the provision of credit for the green deal, and we have an ongoing engagement.

Christopher Pincher: When the green deal is rolled out, will my right hon. Friend ensure that the green deal MOT on domestic properties focuses not only on insulation, but on smart metering and energy-efficient boilers, so that customers in my constituency and around the country get the most energy-efficient and bill-cutting green deal?

Chris Huhne: I am grateful to my hon. Friend for that question, because very substantial incentives to install renewable heat solutions are available under the renewable heat incentive, alongside the green deal. The green deal itself will deal with insulation, but I confidently expect that many of the providers will offer heat solutions alongside that, which is very important.

Graham Jones (Hyndburn) (Lab): I am concerned about the delivery of the green deal, especially in the private rented sector. How does the Secretary of State expect compliance to happen in this sector, which seems to be quite evasive? For example, will he expect local authorities to keep a register of landlords in their area as part of the delivery mechanism?

Chris Huhne: We have announced that we intend to regulate the private rented sector so that there will be a clear prohibition on letting F and G-rated homes in the future, and that will provide a clear target for the private rented sector to go ahead. All of the normal means of enforcing this will be available through local authorities, but we will bring forward further measures in secondary legislation.

Climate Change Legislation

22. **Mr Graham Stuart** (Beverley and Holderness) (Con): What his policy is on recognising national climate change legislation as a commitment under the United Nations framework convention on climate change. [56274]

The Minister of State, Department of Energy and Climate Change (Gregory Barker): Domestic legislation is desirable and demonstrates political commitment at country level. However, the UK Government believe that an international treaty is still the best and most credible way of promoting ambitious mitigation action at a global level.

Mr Stuart: I thank the Minister for his answer and agree with the point he makes, but does he agree with me that it is important to encourage and recognise national legislative action and that the global legislators' organisation, GLOBE, should continue to bring legislators together to catalogue and push for greater action at national level in lieu of international agreement?

Gregory Barker: Absolutely, and in the absence of a global treaty, the work that GLOBE does—and my hon. Friend does very valuable work as vice-president of GLOBE International and president of GLOBE UK—including its recent study of global climate change legislation, is extremely valuable, and we certainly support it and would encourage it to go further.

Topical Questions

T1. [56276] **Tony Baldry** (Banbury) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Energy and Climate Change (Chris Huhne): My Department works to secure clean, affordable energy supplies and action on climate change. Last week, the Energy Bill received a Second Reading in this House. It contains provisions for the green deal, our flagship piece of legislation, which will deliver energy efficiency to homes and buildings across the land. On Tuesday, we announced the fourth carbon budget, setting an ambitious target for UK emissions reductions. We are now the first country in the world to publicly commit to cutting carbon well into the next decade, and I have today published the summary of conclusions of the Ofgem review.

Tony Baldry: Given the current drilling by Cuadrilla at Blackpool, is the Secretary of State confident that extracting shale gas in the UK will not lead to the contamination of water supplies?

Chris Huhne: I am grateful to my hon. Friend for that question. The UK has a robust regime and it is important to recognise that we intend to ensure that shale gas operations are carried out in a safe and environmentally sound manner. Shale gas exploration has been controversial, especially in the United States where regulation has not been well implemented, but here it is subject to a series of regulatory checks, including planning permission, health and safety checks, consultation with the Environment Agency and drilling consent from my Department. The Environment Agency in particular has scrutinised Cuadrilla's plans thoroughly and does not consider that they pose a significant risk to the environment, including to water resources.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): In the last period, lending to small and medium enterprises dropped by 2%, so Project Merlin is not delivering—the Prime Minister has spoken on this. We know the importance of the green investment bank and of the need to get green businesses to grow—that is the subject of cross-party agreement. So why will the green investment bank not lend to small businesses?

Chris Huhne: The exact remit of the green investment bank has still to be announced and I urge the hon. Lady to wait for that. We have said that it will be built up and able to borrow and lend from April 2015. That will be the most significant point, because at that point it will be able to provide finance for some of the biggest investments in the renewable sector in particular. My Department is acutely aware of the importance of encouraging small businesses and we intend to do so.

Meg Hillier: Once again, we hear warm words from the Secretary of State but no action. Many small businesses will be out of business by 2015 and we will have lost that opportunity for technological development in the UK backed by the green investment bank.

On a wider point, we have heard rumours in the newspapers about what the green investment bank will be and the Secretary of State has just talked about a future announcement. Will he announce it to the House himself, or will he leave to the Deputy Prime Minister to make a speech in some other place about what will happen with the green investment bank?

Chris Huhne: I should point out to the hon. Lady that the lead Department on the green investment bank is the Department for Business, Innovation and Skills, so my right hon. Friend the Business Secretary will be making the formal announcements. That will happen in due course.

T2. [56278] **Dr Julian Huppert** (Cambridge) (LD): Will the Secretary of State tell me a bit more about what he is doing to encourage and support the clean-tech industry, including the excellent companies around Cambridge, such as AlertMe, which monitors energy efficiency, Econovate, which is involved in sustainable construction, and Eight19, which is developing novel solar technologies?

Chris Huhne: Earlier this year, I visited the SmartLIFE centre in Cambridge and met almost a dozen clean-tech companies from my hon. Friend's constituency. I was impressed not just by the pioneering technologies that one would expect from a city with Cambridge's record on innovation, but by how these ideas are being turned into thriving businesses. I understand that the SmartLIFE low-carbon centre is expanding this year to provide the skills and training facilities needed for low-carbon qualifications. It is an exciting development.

T3. [56279] **Catherine McKinnell** (Newcastle upon Tyne North) (Lab): Almost one in four households in the north-east is living in fuel poverty, which is the highest proportion in England. The Minister of State, Department of Energy and Climate Change, the hon. Member for Bexhill and Battle (Gregory Barker) said earlier that the energy company obligation will rightly focus on fuel poverty. However, can the Secretary of State rule out its being used to subsidise banks providing green deal finance?

Chris Huhne: There is absolutely no intention, and nor would it be possible, to use the ECO to subsidise banks. I am confident about that because unlike the Warm Front scheme, which Labour championed, the green deal provisions enable residents, having had a survey, not merely to go to the provider that did the survey, but to take that survey and get one or more alternative quotations. The introduction of competition into the process will guarantee that the subsidy goes to where it is needed—towards a reduction in carbon emissions and improvements in energy efficiency—not to providers, be they people in the industry or the banks.

T6. [56282] **Fiona Bruce** (Congleton) (Con): The Middlewich company, Convert2Green, in my constituency, recently won the East Cheshire chamber of commerce environmental company of the year award. It converts used cooking oil, which would otherwise go into drains or landfill, into biodiesel for use in vehicles and elsewhere. The 20p duty differential for biodiesel has helped it to develop its innovative processes. What assessment has the Department made of the contribution of the 20p duty differential to the UK's renewable energy targets, and what are the Government's future plans for the differential?

Chris Huhne: I join my hon. Friend in congratulating the company involved. The recent quarterly renewable transport fuel obligation report gives clear evidence on the effectiveness of the 20p duty differential for biodiesel derived from used cooking oil in assisting the Government to exceed their greenhouse gas savings target, and in increasing substantially the retrieval of waste cooking oil, which otherwise would literally be poured down the drain or go to landfill. The differential has therefore made a valuable contribution to the Government's renewable energy targets and waste strategy, and to the growth of the low-carbon economy.

T4. [56280] **Lilian Greenwood** (Nottingham South) (Lab): The Government's announcement of a minimum energy efficiency standard for private rented homes is welcome, but the hundreds of tenants in Nottingham living in cold, damp F and G-rated homes should not have to wait until 2018 for it to be introduced. I heard the Secretary of State's reply to my hon. Friend the Member for Hyndburn (Graham Jones), but would the legislation not be more effective if a register of landlords was introduced so that they can be informed about the new standard and directed to information about the green deal and other measures that might help them to improve their properties?

The Minister of State, Department of Energy and Climate Change (Gregory Barker): The hon. Lady is right that we are taking action to ensure that the private rented sector enjoys the full benefits of the green deal, but she is wrong to assume that tenants will only learn about this from a council information leaflet or some regulated communication. The most powerful element in driving the green deal forward will be the market, the new competition, the big retailers and the new entrants into the market. That will create a huge wave of interest across the country in all sectors.

T8. [56284] **Dr Daniel Poulter** (Central Suffolk and North Ipswich) (Con): I am sure that my right hon. Friend would agree that in making the case for the green new deal, we must bring local communities with us. Onshore wind turbines are controversial in many rural communities. If we are not careful and if local authorities push ahead with wind turbines without considering other options, we run the risk of losing the support of some of our rural communities. Does he agree?

Chris Huhne: I am grateful to my hon. Friend for his question. As the Minister of State, Department of Energy and Climate Change, my hon. Friend the Member for Wealden (Charles Hendry) pointed out earlier, onshore wind is the cheapest source of renewable energy, and we have to take account of affordability. I should also say that there are many local communities the length and breadth of this country that actually want to install onshore wind turbines. It is not always the case that they are unpopular. Indeed, the most attractive and regularly visited tourist feature in my constituency is the Bursledon windmill. It is, admittedly, slightly older than many wind turbines, but it works on exactly the same principle. Bursledon windmill is beautiful, and many of the wind turbines that we are installing are beautiful too.

T5. [56281] **Ian Mearns** (Gateshead) (Lab): The Secretary of State will be aware that the Renewable Energy Association has described the proposed tariff changes for solar photovoltaic installations over 50 kW as an "horrendous strategic mistake". If he goes ahead with the changes, how do the Government intend to support decentralised local community energy generation in future?

Gregory Barker: I am afraid that the horrendous strategic failure was made by the last Government, who failed to put any sensible financial controls on the feed-in tariff scheme. There is plenty of scope for new innovative community schemes to take shape. Indeed, I visited one only last week in the constituency of my hon. Friend the Member for Brighton, Kemptown (Simon Kirby), and I look forward to visiting many more. We want a big push forward in decentralised energy schemes. Solar is a great technology, but it has to be affordable. We need proper controls that do not blow the budget, which is what would have happened had we not taken action.

Jo Swinson (East Dunbartonshire) (LD): Most of the climate change debate tends to focus on mitigation and decarbonisation, but it is also important to work on adaption, such as how we respond to pressures on water supply. What plans are the Government putting in place at home and abroad to cope with the increasing pressure and also to promote new water filtration technologies, such as that promoted by FilterClear, an innovative company in my constituency that is creating green jobs and British exports, and promoting the more efficient use of water?

Gregory Barker: The hon. Lady is absolutely right. There are opportunities for green growth and innovation right across the economy, and a lot that we can do in the water sector in particular. However, that is a matter for the Department for Environment, Food and Rural Affairs, which is looking carefully at how we develop the green deal. Indeed, it is possible that we could see a similar programme offered in due course—perhaps a blue deal—to ensure that water-saving measures are funded in the same way. However, she is absolutely spot-on in realising the huge potential that exists.

T7. [56283] **Katy Clark** (North Ayrshire and Arran) (Lab): Has there been any discussion about the geographic spread of carbon capture and storage demonstration projects? The Minister will be aware that there are a number of proposals in Scotland. Is it possible that two or even three of them might be allowed to go ahead?

The Minister of State, Department of Energy and Climate Change (Charles Hendry): The hon. Lady raises an extremely interesting point. Clearly there is an interest in sharing infrastructure, rather than everybody rebuilding their own, for CCS to go forward. We are putting forward seven schemes to the European funding mechanism —the NER300—which is more than any other country in Europe. Some schemes are geographically close to each other and some are further apart. However, they will be chosen on their merit, and there is a lot of work being done to ensure that the infrastructure costs are shared wherever possible.

Damian Hinds (East Hampshire) (Con): Ofgem's retail market review finds that many consumers are not getting nearly as good an energy deal as they could, and that includes too many of the poorest and most vulnerable. We have a diverse and dynamic market. That is a good thing, but it also means complexity, with more than 300 different tariffs available, 50% more than a year ago. Does my right hon. Friend agree with Ofgem's proposal to simplify things and make it easier for consumers to compare prices and get a better deal?

Mr Speaker: Order. The questions are becoming too long and they need to be shorter.

Chris Huhne: I am grateful to my hon. Friend, and I am extremely enthusiastic about the thrust of the question. I am delighted that Ofgem is looking at this issue, because as we have known ever since the middle ages—if not before—if a market is to work effectively, we need common weights and measures, so that people can compare prices in the marketplace properly, and that is exactly what tariff simplification would enable them to do.

Mr Speaker: I call John Robertson. Not here.

Barry Gardiner (Brent North) (Lab): Fifty per cent more CO_2 emissions savings could be made in the transport sector by adopting Greener Journeys' ONE Billion challenge for a modal shift. Will the Minister look into the efficacy of the scheme and discuss the proposal with his counterpart at the Department for Transport?

Gregory Barker: I am not familiar with the details of the scheme that the hon. Gentleman has mentioned, but I will certainly look into this and I would be happy to communicate with my colleagues at the Department for Transport.

Chris Heaton-Harris (Daventry) (Con): Can the Secretary of State remind the House how much energy was contributed to the grid by onshore and offshore wind last December—one of the coldest periods of time on record?

Chris Huhne: I am grateful to my hon. Friend for that question. What he is really asking is: does wind help when it is not blowing? Any Energy Secretary has to deal with the nightmare possibility of six cold, still days in February when the wind is not blowing but we all still need electricity. It is important for him to remember, however, that the energy sector has always had to deal with variable demand. That is why plant is often built to back up other plant. An example of the enormous variation in demand is when we all go and put our kettles on during the advertising break in "Coronation Street". At that point, we need to bring on massive amounts of electricity generation. That is exactly the same principle, so my hon. Friend's point is by no means a killer criticism of wind. Wind has a very important contribution to make to the national grid, and we intend to ensure that it continues to do so.

Ian Lavery (Wansbeck) (Lab): Compliance with environmental legislation places a huge burden on companies such as Rio Tinto Alcan in my constituency. It will wipe out profits in excess of £50 million, come 2013, and it could jeopardise 650 jobs. What measures are the Government putting in place to protect jobs in that type of industry?

Chris Huhne: The hon. Gentleman is absolutely right to raise this matter. It is crucial that we bring forward proper measures to deal with energy-intensive industries of the sort that he mentions. In fact, we have had contact with Rio Tinto Alcan, along with many other energy-intensive industries, on exactly these issues. As I announced earlier this week, we are committed to working jointly with the Department for Business, Innovation and Skills to bring forward a package of measures to ensure that energy-intensive industries have a thriving future in this country. There are a number of ways in which we can help, including free allocation under the emissions trading scheme or conversion to biomass, which is also an important option.

Wild Animals (Circuses)

11.32 am

Mary Creagh (Wakefield) (Lab): *(Urgent Question)*: To ask the Secretary of State for Environment, Food and Rural Affairs to explain her decision not to ban the use of wild animals in circuses.

The Minister of State, Department for Environment, Food and Rural Affairs (Mr James Paice): I apologise for the absence of my right hon. Friend the Secretary of State, who is on ministerial business elsewhere. I am grateful to the hon. Member for Wakefield (Mary Creagh) for her question, because it allows me to draw the House's attention to the written ministerial statement laid by my right hon. Friend at 9.30 this morning.

During oral questions last Thursday, and in the written ministerial statement on Friday, my right hon. Friend and I referred to a current case against the Austrian Government relating to their ban on circuses. However, we now understand that the initiation of court proceedings against the Austrian Government has been delayed, although a case is in preparation and proceedings are expected to commence shortly. On behalf of my right hon. Friend, I would be very happy to clarify the confusion that we might have caused. This does not, however, affect our policy to introduce a tough licensing regime. The very strong legal advice that we have received, which is consistent with the case being prepared against Austria, is that a total ban on wild animals in circuses might well be seen as disproportionate action under the European Union services directive and under our own Human Rights Act 1998—*[Interruption.]*

Mr Speaker: Order. We must hear the Minister's response.

Mr Paice: We believe that to have pursued a ban in the light of that legal advice would have been irresponsible.

Mary Creagh: As the Minister has said, the Secretary of State told the House at DEFRA questions last Thursday that

> "the Austrian Government have been taken to court by a German circus company because of a breach of the EU services directive."—[*Official Report*, 12 May 2011; Vol. 527, c. 1347.]

Her written ministerial statement the following day repeated that allegation, yet today's statement has confirmed that no legal challenge exists. The DEFRA big top is spinning out of control on these legal cases that do not exist, and hiding behind human rights legislation—

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Pathetic!

Mary Creagh: It is the Department that is pathetic.

Given that everything read on the internet should not be trusted, for the future avoidance of doubt will the Minister place in the Library the evidence and the legal advice he has received? The Austrian embassy in London confirms that there was a legal challenge against Austria by the Commission, but it was closed in 2005. The European ombudsman closed the case in 2010.

This House relies on Ministers giving us accurate and timely information, so will he take the opportunity to apologise for misleading the House and the British public and will he stop hiding behind some circus owners who, after six years of failed national and European legal challenges, might well bring another case? That provides no reason not to ban wild animals in British circuses.

There is a further point. The Minister wants councils to license circuses, but there is a problem: circuses move from place to place, so conditions might be adequate in one town, but not in another. Is he aware that the Secretary of State for Communities and Local Government proposes to remove the powers of local authorities to prosecute owners for animal cruelty as part of his so-called review of the "burdens" on local authorities. He is proposing a scheme that gives authorities the power to license, but no ability to prosecute owners if cases of animal cruelty are discovered.

This is another all-singing, all-dancing disaster from the worst-performing Department in government. The Secretary of State for Environment, Food and Rural Affairs briefed the *Daily Express* on 3 April that the Department wanted a ban; the Minister's Back Benchers and the rest of the House want a ban: it is time for another DEFRA U-turn and a ban on wild animals in British circuses.

Mr Paice: I am afraid that the hon. Lady's record of events is somewhat distorted. We have not claimed that the case brought by the European Commission was anything to do with our decision. I referred specifically to a case that we understand is being prepared, as I have explained, by the European Circus Association against the Austrian Government. I can assure her that my officials have spoken today to the lawyer acting for the European Circus Association to confirm the validity of that. As I have said, we also received advice from our lawyers that the ban could be inconsistent with the provisions of the EU services directive. The hon. Lady has to ask, first, if this is so critical, why did her own Government not do it; and, secondly, if she were a Minister, would she be prepared to override the advice of her own lawyers and risk being taken to court for it, and subsequently having to withdraw the legislation she introduced?

Mr Roger Gale (North Thanet) (Con): In 1997, the all-party animal welfare group, of which I was then the chairman, produced a report on performing animals in circuses. I handed the report personally to the responsible Labour Home Office Minister. In the ensuing years, the Labour Government took no action whatever, so I do not think we need to take any lessons from Labour Members on this subject. That said, there is no case for performing wild animals in circuses. Given this stay of execution, will my right hon. Friend revisit the issue with a view to a total ban?

Mr Paice: My hon. Friend rightly reminds us that the real issue is the welfare of animals in circuses. That is why our policy remains as it was clearly announced by my right hon. Friend the Secretary of State on Friday. A strict licensing regime has the potential to reduce or eliminate the use of wild animals in circuses if the owners cannot meet the tough standards that we will require, on which we will consult. That can be done quickly, whereas a ban would require primary legislation—and we are all well aware of the time scale that involves.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): The Minister talks about human rights, but what about animal rights? Do this Government not care about the welfare of wild animals, which have no powers whatever to exert for their own welfare? Would not the best possible course of action be for the Government to impose a ban and cope with any complications if they arise later? What we want is action from the Government, not subordination to lawyers.

Mr Paice: It is a sad but important fact that although this House passes laws, as indeed does the European Union, it is for the courts to interpret those laws. If the advice of our lawyers is that the courts might well interpret a ban as unlawful, we must heed that advice. That is what we have done, and that is why we have produced just as tough a regime through the use of licences—which, as I have said, could well mean that animals do not stay in circuses if their owners cannot meet the standards required.

Bob Russell (Colchester) (LD): I must tell the Minister that this is just not good enough. Hiding behind 13 years of Labour failure is not a justification for maintaining the present position.

Last Friday, DEFRA—the Department for error, failure and rotten administration—issued a statement that was not correct, and I am not prepared to go along with the clarification that attempted to involve Austria. Does the Minister not accept that this barbaric activity has no place in civilised society?

Mr Paice: I am more than happy to confirm my personal view that wild animals do not belong in circuses. The real point, however, is that we are taking action that we can take now and as a result of which, I suspect, few if any wild animals will remain in circuses. If people are really so opposed to the use of wild animals in circuses, I suggest that they do not go to the circus.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): The hon. Member for North Thanet (Mr Gale) is wrong. In 2009, when I was Minister of State at DEFRA, we initiated a consultation, in response to which 94.5 % of people said that they wanted the use of wild animals in circuses to be banned. We gave a commitment that we would do that if we were returned to office. The Minister is also—*[Interruption.]* Will Members allow me to ask my question?

In 2005, the European circus proprietors took action against the Austrian Government at Commission level. When that action failed in 2007, they invoked the European ombudsman, who found in 2009 that the Commission had been correct. I have been told by the Born Free Foundation, Animal Defenders International and the RSPCA that the Austrian Government said yesterday that no legal action was pending. Will the Minister clarify the position?

Mr Paice: I can confirm that officials from my Department have spoken to the attorney acting for the European Circus Association, that it is developing a case, and that it expects to issue proceedings against the Austrian Government in the next few weeks.

Miss Anne McIntosh (Thirsk and Malton) (Con): I am delighted to report that my right hon. Friend the Secretary of State is currently visiting the Pickering "slowing the flow" project at the request of North Yorkshire county council.

Will my hon. Friend assure the House that there will not be a knee-jerk reaction banning all wild animals in circuses until we have taken the best possible legal advice? Is it not a little hypocritical of Parliament to receive, in the House of Commons, performers from circuses that use wild animals, and then to reject those very performers?

Mr Paice: I am sure that my hon. Friend is right. Any Government must take serious heed of the legal advice they are given. Any Ministers who wilfully ignore such advice and risk the Government's being taken to court and losing are, in my view, neglecting their duty. We have made the right decision: we have taken swift action to deal with the issue of the welfare of circus animals, and I believe that that is the right course.

Mr Dave Watts (St Helens North) (Lab): We are well aware that many Members on the Government Benches like torturing animals, but is the Government's position that if someone in Europe challenges an issue, this Government—this Parliament—cannot act? I find it unbelievable that the Minister would take such a position.

Mr Paice: The fact is that we are part of the European Union, and we are obliged to comply with European Union law. If the hon. Gentleman does not like that, it is a matter for him. As I said earlier—to some ridicule from Opposition Members—our own Human Rights Act has an influence on the position, and it was passed by the Labour party, which ought to know what its legislation says.

Mr Philip Hollobone (Kettering) (Con): I believe that a majority of my constituents would want a ban on wild animals in circuses. Will the Minister update the House on how many wild animals he estimates are in circuses, and whether the number has been increasing or decreasing in recent years?

Mr Paice: The latest estimate is that there are 39 such animals. Following the recent press exposure, there are now no elephants in our circuses. The last one, Nelly, who we saw being very badly treated, is now in a home.

Mr John Spellar (Warley) (Lab): Last Thursday, the Minister clearly stated to the House:

> "There have been recent press reports that the Austrian Government have been taken to court for their attempt to ban wild animals in circuses, so our Government can hardly recommend something that might not be legal."—[*Official Report*, 12 May 2011; Vol. 527, c. 1344.]

There are only two possibilities: either the official gave him wrong advice, which I regret to say is not uncommon and in which case the official should go, or the Minister made the wrong judgment even though he had the facts, in which case the Minister should go. Which is it?

Mr Paice: What I said, as quoted by the right hon. Gentleman, is entirely correct. There were, or are—[HON. MEMBERS: "Were!"] At that time, there were such newspaper reports, as I reported to the House, so that was a perfectly accurate statement. It now transpires that those newspaper reports, and therefore my comments, were incorrect. That is why I have come to the House to clarify the fact, which I have done.

David Tredinnick (Bosworth) (Con): Will my right hon. Friend pay tribute to zoos in this country, which have steadily improved conditions for wild animals? For example, Twycross zoo in my constituency has wide open spaces for elephants, lions, tigers and giraffes.

Mr Paice: I endorse my hon. Friend's comments about the measures taken by our zoos. If animals cease to be allowed in circuses, or if circuses are unable to meet the licensing conditions, I suspect many animals will move to zoos.

Several hon. Members *rose*—

Mr Speaker: Order. While paying absolutely no disrespect to zoos, may I request that we return to the subject of circuses?

Caroline Lucas (Brighton, Pavilion) (Green): I have to say that I think the Minister's position is an extraordinarily cowardly one. May I remind him that there was legal advice against a seal ban—a ban on the import of seal products—yet the courage of member states led to that being overturned? There was also legal advice against the ban on the import of cat and dog fur, but, again, the courage of individual member states led to that being overturned. May we have a bit of spine from this Government, and will they respect the wishes of the vast majority of people in this country and ban now these wild animals in circuses?

Mr Paice: The hon. Lady needs to reflect on the proceedings she has just mentioned, because they are very different from that which is under discussion now. Those situations involved European member states taking action at European level, whereas this situation involves a single member state, and we believe that if we take this action we may well be infringing European law, to which we are committed.

Andrew George (St Ives) (LD): A reference in Friday's statement to the legal context of a ban is relevant only if the Department had been seriously considering a ban. Will the Minister therefore enlighten the House about that and tell us whether the Government would review the situation and consider an outright ban if the legal impediment could be overcome?

Mr Paice: I assure my hon. Friend that we considered all options, because we had the benefit of the consultation that the previous Government had initiated and the responses to it. Clearly, however, on the basis of the information and advice we received, we believed a ban was not the right way to proceed. We wanted to be able to act swiftly, and we can do that through a very strict licensing regime. I must repeat to the House that very tough standards will be imposed on how these animals can be kept, and it is possible that circus owners will not be able to meet those standards, in which case we will have achieved a ban without having to pass primary legislation.

Helen Jones (Warrington North) (Lab): The people in my constituency who protested when the Bobby Roberts circus appeared there would be stunned by the pathetic defence the Minister has put up today. Quite apart from the fact that he got the name of the elephant wrong, can he tell us why we should rely on his defence when he cannot tell us which bit of the Human Rights Act enshrines the right to be cruel to animals?

Mr Paice: That question does not really deserve an answer. The hon. Lady knows full well that no bit of the Human Rights Act says that, but other bits of the Human Rights Act could be infringed by a ban on wild animals in circuses.

Jo Swinson (East Dunbartonshire) (LD): I urge the Government to think again. A performing circus is simply no place for magnificent wild animals such as lions and tigers and the public overwhelmingly agree. The Minister mentions the possible obstacles of primary legislation and legal challenge. May I put it to him that if he took the bold step of proposing a total ban, he would find a great deal of cross-party agreement for that primary legislation? Indeed, were there to be subsequent legal challenges in the courts, he would also have the support of the House.

Mr Paice: I am grateful to the hon. Lady for her comments. Of course I appreciate, as does my right hon. Friend the Secretary of State, that there is very strong public support for a ban as well as support across the parties in this House, but Ministers must take all the issues into account, including the legal advice to which I have referred and on which we believe that we have acted.

Nic Dakin (Scunthorpe) (Lab): If the Minister will not introduce a ban, will he at least consider extending the provisions of the Zoo Licensing Act 1981 so that circus animals have the same rights and protections as zoo animals?

Mr Paice: I am happy to agree to consider that. Circus animals are, of course, covered by the Animal Welfare Act 2006, which enshrined the five freedoms, but if further issues arise from the 1981 Act I am more than happy to consider them. While I am on the subject of licensing, Mr Speaker, may I say that although the hon. Member for Wakefield (Mary Creagh) referred to local government, this is not a local government issue? The inspectors would be DEFRA inspectors appointed by us.

Duncan Hames (Chippenham) (LD): I hope that the Minister understands the frustration of Members and our constituents when it seems sometimes that the script of prevarication is written by officials and does not change, whoever is in government. Will the Minister at the very least publish the legal advice on which this decision rests?

Mr Paice: I am happy to discuss that with my right hon. Friend the Secretary of State, who must make that decision.

Barry Gardiner (Brent North) (Lab): On whose authority did the official at DEFRA phone up the lawyer of the European Circus Association to find out whether there was a preparation in the pipeline to make a legal challenge? Will he confirm that if that challenge continues to be in the pipeline, his Department will continue to do nothing, which gives the association a perverse incentive to make it last as long as possible?

Mr Paice: The answer to the first question is that my noble Friend Lord Henley is responsible for this policy within the Department. The answer to the second question, which is completely fallacious, is that we are not doing nothing. We have already made it clear that we will introduce a tough licensing regime soon.

Mr Geoffrey Robinson (Coventry North West) (Lab): Is the Minister not aware that advisers, including legal ones, advise and Ministers decide? In reaching this decision today, he appears weak-kneed. He has agreed to see one of his hon. Friends afterwards on the question of legal advice, but perhaps he could include an Opposition Member in that meeting. There can be nothing in the legal advice that is remotely binding on this issue and he is failing to respond to the feeling in the country and in the House, which goes way beyond the number of animals involved. It is a question of principle.

Mr Paice: I appreciate the hon. Gentleman's point, and of course Ministers must make the final decision. We accept that responsibility. Advice to Ministers can sometimes be fairly evenly balanced and sometimes pretty heavily balanced in favour of one side or the other. The outcome of the ministerial decision is likely to depend on that.

Ann Clwyd (Cynon Valley) (Lab) *rose—*

Mr Speaker: Order. It is usually a great pleasure to hear the right hon. Lady, but I fear that she was not in the Chamber at the start of these exchanges, so we will have to wait to hear her views on a subsequent occasion.

Business of the House

11.54 am

Hilary Benn (Leeds Central) (Lab): Will the Leader of the House give us the forthcoming business?

The Leader of the House of Commons (Sir George Young): The business for next week will be:

MONDAY 23 MAY—Opposition day (16th allotted day). There will be a debate on "Sentencing", followed by a debate on "Policing and Crime". Both debates will arise on an Opposition motion.

TUESDAY 24 MAY—Motion relating to eurozone financial assistance, followed by a pre-recess Adjournment debate, the format of which has been specified by the Backbench Business Committee. The business for this day has been nominated by the Backbench Business Committee.

Colleagues will wish to be reminded that the House will meet at 11.30 am on this day.

The business for the week commencing 6 June will include:

MONDAY 6 JUNE—The House will not be sitting.

TUESDAY 7 JUNE—Second Reading of the terrorism prevention and investigation measures Bill.

WEDNESDAY 8 JUNE—There will be a debate on an humble address relating to the Duke of Edinburgh's 90th birthday, followed by Opposition day (17th allotted day) (half-day). There will be a half-day debate on an Opposition motion, subject to be announced.

THURSDAY 9 JUNE—Consideration of Lords amendments to the Postal Services Bill, followed by a general debate on the Munro report and its implications for child protection.

FRIDAY 10 JUNE—Private Members' Bills.

I should also like to inform the House that the business in Westminster Hall for Thursday 9 June 2011 will be:

THURSDAY 9 JUNE—A debate on the Scottish Affairs Committee report on postal services in Scotland.

Hilary Benn: I am grateful to the Leader of the House for that reply. After the performance we have just witnessed from the Minister at the Dispatch Box it seems pretty clear that DEFRA is a Department in special measures. I begin by asking whether we may have a statement on the improvement plan that the Government plan to put in place to improve its performance?

On the terrorism prevention and investigation measures Bill, assuming that this is the Bill that will provide for an extension in the period for which people may be detained, will the Leader of the House assure us that the promise that there would be full consultation with the Opposition on the drawing up of the Bill has been kept?

On the date of the next Queen's Speech, following our recent exchanges, will the Leader of the House at least assure us that it will not take place during purdah next April? I ask because it is now becoming increasingly clear that deciding on a date has difficulties for the Government, which might explain why the week before last the Leader of the House decided to answer a question about the date of the Easter recess that I had not asked.

[Hilary Benn]

Will the Leader of the House tell us when the Bill will be introduced to enshrine the commitment to give 0.7% of our national wealth in aid to those living in poverty, and will he explain why the Prime Minister has clearly failed to persuade his Defence Secretary that that is the right policy? Is it a sign of what the Tories really think about development? Will the Leader of the House also join me in condemning the remarks of the former head of the armed forces, Lord Guthrie, who was reported yesterday as calling for aid spending to be switched to defence, adding:

> "We have not got time to muck about".

Helping to save children's lives is not mucking about.

We see that the other place will have a debate on the proposals for its reform published this week. Are the Government planning to have a debate in this House before the summer recess and in Government time?

May we have a debate on child poverty following the warning given this week that 300,000 children will be pushed below the poverty line in the next three years because of the Government's spending cuts? The Institute for Fiscal Studies said that after falling to its lowest level in 25 years—that is the difference made by a Labour Government—child poverty is likely to rise sharply owing to the Chancellor's decision to cut benefits and tax credits.

When will the Justice Secretary clarify the Government's policy on rape and sentencing following the utter confusion of the past 24 hours? Having toured the TV and radio studios yesterday, offending more and more people with every interview he gave, should he not come to the House to apologise and explain what on earth is going on?

Yesterday, the Prime Minister categorically denied any link with Mark Britnell, the man who last weekend said that the national health service

> "will be shown no mercy".

Will the Leader of the House therefore explain why it is reported that Mr Britnell was invited to attend a meeting of senior experts in Downing Street earlier this month by none other than the Prime Minister's own special adviser on health?

May we have a statement from the Health Secretary following the comments made over the weekend by Professor Steve Field? He was asked by the Prime Minister to review the NHS plans—I take it that does make him an adviser—and his conclusion is damning. Professor Field told *The Guardian* that the Bill's proposals are "destabilising".

When will the Prime Minister clarify exactly who is now deciding the Government's policy on the Health Bill? This week, the Deputy Prime Minister issued an ultimatum regarding his own Bill—that really is a first. He said that the responsibility of Monitor for competition will have to be dropped. Indeed, in a Lib Dem policy document that he has signed, the Deputy Prime Minister says that

> "the decision to establish Monitor as an 'economic regulator' was clearly a misjudgement".

That is extraordinary from someone who cleared the Bill, put his name to the Bill and voted for it on Second Reading. Meanwhile, the Health Secretary, who was apparently cheered to the rafters at last night's meeting of the 1922 Committee, says the very opposite. He told the King's Fund yesterday that

> "real choice, means that providers will be…competing for patients."

It is now clear that the longer the Government's pause lasts, the more uncertainty there is about the future of the NHS. Nobody knows who is in charge or what is going on—it is a complete shambles. When is the Prime Minister going to get a grip?

Sir George Young: We are committed to legislating on the 0.7%—something that the right hon. Gentleman's Government never did. We are the first Government in history—and, indeed in the G20—to set out clear, specific plans for achieving that 0.7% from 2013, and that commitment will be enshrined in law. That was the commitment we made and we propose to keep it. We are keeping our word and that has brought us respect throughout the world. I hope that we will have support from the Opposition when we introduce the Bill.

I think that the right hon. Gentleman has misunderstood which Bill we are introducing on our first day back. It is the Bill that replaces control orders with temporary terrorism prevention and investigation measures; it is not the Bill on the period of detention. Of course, we want to consult the Opposition on the Bill. The measure he referred to is in the Protection of Freedoms Bill, which is currently going through the House.

I am amazed that the right hon. Gentleman has raised the subject of the House of Lords. Labour was in office for 13 years but failed to deliver its manifesto commitments. Now that we are doing that, I hope that we will have Labour's support. We will have a debate in Government time on the proposals and I very much hope that instead of sniping from the sidelines and making cheap political points, the Opposition will engage with the issue and help us to deliver not only our manifesto commitment but Labour's.

On child poverty, I reject the assertions that the right hon. Gentleman has just made. There will be an opportunity when we debate the Welfare Reform Bill to have a longer discussion on that subject.

On the issue of rape, the right hon. Gentleman will know that his party has chosen the subject of sentencing for debate on Monday. Rape is a very serious crime with appalling consequences for victims. The Justice Secretary did not intend to give the impression otherwise and that is why he has written to the Radio 5 listener to apologise for his comments and to invite her to a meeting. We will set out in the debate on Monday the way in which we are determined to drive up the conviction rate for rapists and the support that we are giving to rape centres throughout the country with an extra grant of £3.5 million annually for the next three years, giving rape support centres the certainty that they need.

On health, I am surprised that the right hon. Gentleman chose to raise this subject in the week when a National Audit Office report has revealed the systematic waste of money on Labour's disastrous NHS information technology projects in the previous Parliament—£6.4 billion with very little benefit to patients.

On the other issue of differences between the coalition parties, it is worth reminding the House of the vicious battles that were fought within the Labour party between the former Health Secretary, Alan Milburn, and the then Chancellor, which threatened to destabilise the entire Government and which left the then Health Secretary, according to the extraordinary testimony of one of his Cabinet colleagues, "annihilated". From a party that annihilates its own Health Ministers, I am not minded to take any advice on the resolution of differences of policy.

Finally, there is growing concern about how comfortably the right hon. Gentleman has taken to the Opposition Benches. In a recent interview with *The House Magazine*, when he was asked what it was like not being a Minister, he replied:

> "You learn to adapt very quickly. I'm not pining."

Has Labour realised that there is little prospect of any return to office?

Several hon. Members *rose—*

Mr Speaker: Order. As usual, a great many right hon. and hon. Members are seeking to catch my eye but I remind the House that there is pressure on time with a further statement to follow and two important and well-subscribed debates under the auspices of the Backbench Business Committee, so there is a premium on brevity.

Philip Davies (Shipley) (Con): On Report of the Localism Bill this week, Back Benchers had about 40 minutes to debate the first group of amendments, in which there were eight new clauses and 156 amendments, and 25 minutes to debate the second group, which contained a similar number of measures. When we were in opposition my right hon. Friend was the first to criticise the Government for allowing such an appalling lack of time for debate on Report. What is he going to do to address the shameful amount of time being allocated to such debates?

Sir George Young: I remind my hon. Friend that in the last Session of the previous Parliament, not once did we get two days to debate the remaining stages of a Bill. The Government allocated two days for the remaining stages of the Localism Bill and we are going to do exactly the same with more Bills that are in the pipeline. We are determined to allow the House adequate time. I say to my hon. Friend that I understand that the Public Bill Committee had the opportunity to discuss all the amendments and new clauses and to conclude its deliberations slightly ahead of time.

Natascha Engel (North East Derbyshire) (Lab): Until recently, Back Benchers have been allocated roughly one day a week of time in the Chamber, which has almost always been on a Thursday, but I will leave that for another day. In the past couple of months, for various reasons, we have had nothing like one day a week and as a result quite a long list of interesting debates is stacking up. I know that the Government will be as keen as we are to hold those debates on the Floor of the House, so will the Leader of the House tell us what allocation will be made available to Back Benchers for debates in the Chamber between now and the summer recess and how he plans to let us catch up a little on Back-Bench time in the Chamber?

Sir George Young: I am grateful to the hon. Lady for her question and for her work in chairing the Backbench Business Committee. I remind the House that the coalition Government introduced that Committee—something that the previous Government failed to do. I stand by the commitment we made to implement Wright in full and allow 35 days a Session, which works out at roughly one day a week. That remains my intention and that will apply to the longer Session, so there will continue to be roughly one day a week. There may be a few weeks of famine but there may then be a few weeks of flood to compensate. She mentioned Thursdays, but we have allocated her a Tuesday next week.

Claire Perry (Devizes) (Con): May I urge the Leader of the House to ensure that Back-Bench time is not taken up by any more debates about MPs' pay and expenses? However, I would welcome further clarification from him about the written statement he made today about Members' pay. Will he urge the Independent Parliamentary Standards Authority to be mindful of the point that we have voted for a freeze in MPs pay to put us in line with millions of public sector workers across the country? That must be at the centre of any determination of discussions going forward.

Sir George Young: I am grateful to my hon. Friend. The background is that had we not had that debate back in March, we would automatically have received an increase. The House voted unanimously to reject that and to resolve that it should have no pay increase for the next two years. We have now implemented that part of the Constitutional Reform and Governance Act 2010 and have handed over responsibility to IPSA. I have no doubt that it will have in mind the strong view of the House that our pay should be frozen for two years.

John McDonnell (Hayes and Harlington) (Lab): The finance director of AssetCo resigned on Tuesday, its share price has dropped by 90% to 5p and the general view is that it is going into administration. AssetCo owns the engines of the London fire service and is also part of the consortium bidding to train firefighters. What is happening could put fire safety in London at risk, so may we have a ministerial statement urgently to see what Government measures are being put in place to protect Londoners?

Sir George Young: The hon. Gentleman raises a serous issue that I will draw to the attention of my right hon. Friend the Secretary of State for Communities and Local Government. One of his top priorities, in relation to the London fire service, will be maintaining safety.

Mark Lancaster (Milton Keynes North) (Con): May we have a debate on the Cultural Olympiad arts festival, which the brilliant IF festival in Milton Keynes is supposed to be part of? There are concerns that the Olympiad festival will be increasingly based in London. Does the Leader of the House not agree that such a festival should be open to the whole United Kingdom?

Sir George Young: My hon. Friend makes a forceful point and might like to apply for a debate in Westminster Hall or an Adjournment debate. I will draw his remarks to the attention of my right hon. Friend the Secretary of State for Culture, Media and Sport, who will respond to him.

Kelvin Hopkins (Luton North) (Lab): It is reported this week that Sir Jeremy Greenstock, former adviser to Tony Blair during the Iraq war, has taken up an advisory consultancy post with the oil industry in Iraq. He was advised to delay doing so for six months but started work after three, in clear breach of the rules governing former civil servants taking up business interests. A number of former Ministers have also taken up lucrative jobs in industries for which they used to be responsible in government. May we have a full debate on the revolving door and how we can stop it revolving?

Sir George Young: On the hon. Gentleman's second point, the ministerial code was tightened last May. Former Ministers are not allowed to lobby for two years and are bound to accept the advice of the Advisory Committee on Business Appointments. I will draw the attention of my right hon. Friend the Prime Minister to the remarks about Sir Jeremy Greenstock.

Mr Marcus Jones (Nuneaton) (Con): Last night, with fellow Warwickshire MPs, I met members of the Coventry and Warwickshire chamber of commerce. One of the overriding issues discussed was business regulation and red tape. Although the business people were extremely heartened by the proposals put forward in the Budget to reduce regulation and red tape, they were dismayed by the current proposals to extend paternity rights. If we are to continue to drive new job creation through businesses, is it not time for tangible reductions in business regulation and red tape and will the Leader of the House consider a debate on reducing business regulation?

Sir George Young: On the question of paternity rights, there will be legislation in due course to change provision and my hon. Friend will have an opportunity to comment at that stage. We are reducing the stock of regulation through the red tape challenge. I was interested to hear about his meeting with the Coventry and Warwickshire chamber of commerce. We have an ambitious programme to reduce the flow of new regulation and are inviting the public to suggest existing regulations that could be scrapped or improved and then Government Departments will have to review their entire set of regulations.

Tony Lloyd (Manchester Central) (Lab): Will the Leader of the House refer his colleagues in the Department of Health to the situation of Southern Cross Healthcare, a company that owns care homes for the elderly, as 30,000 elderly people now face a very uncertain future? The company is in a parlous financial condition. It would be intolerable to see 30,000 elderly people put out on the streets. We need to know that the Health Ministers know about this situation and have a plan B.

Sir George Young: I am grateful to the hon. Gentleman. The top priority must be the continuing welfare of the residents in the homes to which he refers. My right hon. Friend the Health Secretary and his Ministers are in contact with Southern Cross Healthcare. He will continue to keep in close touch with the situation and will work with local authorities, the Care Quality Commission and other providers to ensure an effective response that delivers protection to everyone involved. We know that the speculation in recent days has been stressful for those in the homes concerned and their relatives. We will do all we can to maintain the quality of care to which they are entitled.

Mr David Nuttall (Bury North) (Con): I warmly welcome the confirmation from the Leader of House that the House will have a debate on the draft Bill on House of Lords reform. Given the Bill's enormous constitutional importance, will he please confirm that when we come to debate it we will consider it in all its stages on the Floor of the House without any guillotine?

Sir George Young: It will certainly be constitutional legislation and it will certainly be taken on the Floor of the House, so I can give my hon. Friend that assurance. He has not been in the House quite as long as I have, but he will know that at times debate can be protracted and that on certain occasions it is necessary to curtail debate in order to make progress with the rest of a Bill, so I cannot guarantee that at no stage in the process of scrutiny of constitutional legislation will the House be invited to come to a decision. I rest on what I said in response to my hon. Friend the Member for Shipley (Philip Davies). We are determined that the House should have adequate time to consider serious legislation and believe that we are already performing far better than our predecessors in that respect.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Following two damning reports from the Welsh Affairs Committee and the Culture, Media and Sport Committee, may we have an urgent debate in Government time on the unsatisfactory situation facing S4C, the Welsh language TV broadcaster?

Sir George Young: The hon. Gentleman may have an opportunity to develop the argument further when considering the Public Bodies Bill. Debates on Select Committee reports are now the province of the hon. Member for North East Derbyshire (Natascha Engel), who chairs the Backbench Business Committee, so he may like to present himself at 1 o'clock on a Tuesday afternoon at her salon.

Tessa Munt (Wells) (LD): Will the Leader of the House give time to discuss the important matter of the process of recruiting a new Clerk of the House of Commons? As a member of the Administration Committee, I received a copy of the advert for that post yesterday. At a time when the Government are bearing down so hard on salaries and bonuses in the public and private sectors, when there are job losses and when the Chancellor of the Exchequer has to approve all salaries in excess of that of the Prime Minister, I wonder whether the appropriate assessment has taken place of the roles involved in the Clerk's job and whether, in fact, the residence, the uniform allowance and the £200,000 salary should be subject to some sort of discussion, along with an assessment of the criteria, rather than there being an automatic assumption about that.

Sir George Young: I am grateful to my hon. Friend. I have now seen the advertisement to which she refers, which I understand was approved by you, Mr Speaker. The salary of the Clerk of the House and chief executive is linked to judicial salaries and is in the permanent secretary band, which reflects the Clerk's position as independent constitutional adviser to the Speaker and the House. The Clerk is appointed by the Crown, by Letters Patent, and is not an employee of the House of Commons Commission. However, it is right that all public bodies, including the House of Commons, should take robust decisions on their expenditure at the current time and I support any steps to do that.

Stella Creasy (Walthamstow) (Lab/Co-op): Further to the earlier question on Backbench Business Committee debates, on 4 February the House stated clearly that it wanted the Government to consider action on legal loan sharking. On 14 February, 20 Members from across the House wrote to the Ministers responsible to ask for a meeting to make progress on the matter and to look at how we could clarify the intention. Despite repeated requests and letters, nearly three months later no response at all has been received from the Department responsible. I know that I cannot ask the Leader of the House for help to get Wonga-man to account for his actions or to get the Wellcome Trust to account for its actions in investing in this high-cost credit industry and the impact it has on my constituents in Walthamstow and those in communities across the country, but I hope I can ask him for a new debate on holding Ministers accountable for their behaviour towards MPs on such matters and their continued refusal to protect the poorest consumers in Britain.

Sir George Young: If the hon. Lady, along with other MPs, has asked for a meeting with a ministerial colleague, my view is that she is entitled to have it. I will convey that view to the ministerial colleague concerned, the identity of whom she very tactfully withheld.

Mr Peter Bone (Wellingborough) (Con): We have a Prime Minister who is committed to the health service, a Health Secretary who is the most experienced Member of the House on health matters and a Bill before the House that has been approved by the Cabinet, yet we have Ministers who seem to be opposing what they originally supported. May we have a statement on collective responsibility and whether it applies only to Conservative Ministers?

Sir George Young: I am grateful to my hon. Friend for that very helpful question. In my response to the shadow Leader of the House I drew attention to discussions on a health Bill that took place within a one-party Government. I think that it is entirely legitimate when there is a coalition for the two parties to have a discussion. There is a pause in the legislation. The Bill will be going ahead on Report once that consultation is concluded. We will adhere to the broad principles set out in the coalition agreement on the future of the health legislation. I remind my hon. Friend that we have decided to put more money into the NHS—there are now 2,500 more doctors in the NHS—whereas the Labour party is cutting the NHS in Wales.

Steve McCabe (Birmingham, Selly Oak) (Lab): Further to the earlier question from the hon. Member for Shipley (Philip Davies) about the inadequate time made available on Report of the Localism Bill, may we have a debate in Government time about the financial cost and the implications for democracy of the Secretary of State's appalling plans to impose a non-elected executive mayor on the people of Birmingham without a shred of evidence that they support such a form of dictatorship?

Sir George Young: That particular issue was debated on Report, so the hon. Gentleman has had an opportunity to discuss it.

Chris White (Warwick and Leamington) (Con): Yesterday the associate parliamentary group on manufacturing held a discussion with the Skills Commission on how we can reduce the skills gap in the sector. In my constituency we have access to an excellent apprenticeship scheme through Warwickshire college, and we have two world-class universities nearby, Warwick and Coventry, but we need to do more, so will the Leader of the House provide Government time for a debate about how we can close the skills gap and encourage young people to take up careers in manufacturing in order to bring about sustainable economic growth?

Sir George Young: I am grateful to my hon. Friend and very encouraged to hear what is happening in his constituency. Manufacturing is vital to economic growth, and the Government are taking a number of steps to support that growth, including, for example, through apprenticeships, with 250,000 more available over the next few years. We are also funding an organisation called STEMNET, which provides resources for students, teachers and professionals. We are determined to rebalance the economy, to drive up the role of manufacturing and to build on the measures that we have already announced.

Rosie Cooper (West Lancashire) (Lab): Professor Steve Field is carrying out an independent listening exercise on the NHS and reporting to the Prime Minister. The Health Committee, of which I am a member, would like Professor Field to come to give evidence, but I understand that that has been fiercely resisted if not vetoed by the Department of Health, so I should be grateful for the help of the Leader of the House in resolving the issue and answering the question of whether Professor Field acts independently and is therefore able to come to the Select Committee, or whether he is an agent of the Department—which then calls into question the independence of the listening exercise. We really need to get to the bottom of this.

Sir George Young: The normal routine is for Ministers to appear before Select Committees, because they are ultimately responsible for policy. There were certainly occasions when the previous Government asked Ministers to appear before a Committee despite the Committee asking for somebody else, but I will make some inquiries about the issue to which the hon. Lady refers, contact my right hon. Friend the Secretary of State for Health and draw her concern to his attention.

Nick de Bois (Enfield North) (Con): Following the tragic death of my constituent Ricky Burlton, aged 20, at the hands of a driver who had no legal right to be in the country and no driving licence, but who was able to procure insurance without the insurance company undertaking or being able to undertake any checks for a licence, will the Leader of the House please find time so that we can debate the matter and see what steps we can take to resolve this rather fatal flaw in process?

Sir George Young: I am sorry to hear about the loophole to which my hon. Friend refers and of the death of his constituent. I will draw my hon. Friend's remarks to the

[Sir George Young]

attention of the Secretary of State for Transport and ask him to write to him. I cannot provide time for an immediate debate, but he may like to apply for a debate in Westminster Hall to explore the issue further.

Valerie Vaz (Walsall South) (Lab): The Finucane family have spent the past 22 years in unbearable grief, not knowing why Pat Finucane was shot 14 times in front of them. Given the historic visit of the Queen to the Republic of Ireland, would it be possible for a statement to be made to the House on when there will be an independent inquiry into Pat Finucane's murder?

Sir George Young: I am grateful to the hon. Lady and understand her concern. I will pass her question on to my right hon. Friend the Secretary of State for Northern Ireland and ask him to write to her.

Sarah Newton (Truro and Falmouth) (Con): My right hon. Friend will be well aware of the widespread concern throughout the UK about the Maritime and Coastguard Agency's proposals to modernise the coastguard service, and today we have seen a lot of speculation in the press. Will he invite the Secretary of State for Transport to come to the House to make a statement?

Sir George Young: I understand my hon. Friend's concern and, indeed, other Members' concern about the future of the coastguard service, something that has been debated on several occasions. The Transport Committee is currently visiting Stornoway, and my right hon. Friend the Secretary of State for Transport will want to reflect on its report. The review of the service started under the previous Administration, and the Government are understandably reluctant to comment on the speculation in the press. We will respond in due course, have another look at the reorganisation proposals and reveal our conclusions to the House before the summer recess.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): May we have a debate about this country's ability to respond effectively in the event of a major terrorist incident? On Tuesday I called a debate in Westminster Hall about the future of Forensic Science Service, something the Leader of the House may remember me raising at previous business questions. MPs from all parts of the House who attended the debate raised many serious concerns about the Government's plans to wind down the FSS, plans that I believe would leave the country without the capacity to deal effectively with the aftermath of a major terrorist incident and would weaken the fight against crime. The Government simply need to look again at the issue.

Sir George Young: The hon. Gentleman may have an opportunity on the first day back, when I have announced a debate on the Second Reading of a terrorism Bill, to raise his concerns, or he may be able to raise them in a debate on Monday dealing with police and crime. I hope that he will have an opportunity to share those concerns with the House quite soon.

David Tredinnick (Bosworth) (Con): May I congratulate my right hon. Friend on his efforts to clear Parliament square? Is he aware that the lawn there is now completely clear of demonstrators for the first time in 10 years, so when does he expect the square to be open to the general public and what is happening about the pavement?

Sir George Young: I applaud my hon. Friend's continuing concern about Parliament square. He will know that the Greater London authority was successful in clearing the green, which is now being restored, and that Westminster council is now taking action to remove the encampment along the pavement, which I hope produces some results. The real answer, however, is the Police Reform and Social Responsibility Bill, which is now in another place and provides for the necessary powers to achieve a better balance between freedom of expression on the one hand and the right to protect Parliament square on the other. I very much regret that it is becoming increasingly like a shanty town, and I hope it will not be too long before we can restore its iconic value.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Leader of the House urgently consider more attention and debates on China? China has—many people think—a malign influence on the world economy, treats its citizens barbarically and locks up even artists. Is it not about time that we took China, and its implications for world order, seriously?

Sir George Young: The hon. Gentleman may have an opportunity at Foreign Office questions on 14 June to raise his concerns. The Government are concerned about the treatment of Weiwei: we think his detention without charge is unacceptable, and we have made representations through the Foreign Secretary. It is important that China observes the proper standards of human rights to which all civilised countries ought to be signed up.

Gavin Barwell (Croydon Central) (Con): The Oasis Academy Shirley Park in my constituency is one of the most improved schools in the country. May we have a debate about the extension of the academies programme under this Government, in line with Tony Blair's original vision, as it is improving the life chances of young people from deprived backgrounds in all our constituencies?

Sir George Young: I welcome the progress being made with the establishment of academies, following the legislation that we put on to the statute book. I should personally welcome such a debate, which I hope would have cross-party support, given that many people who were in the Labour party strongly support our academies programme. I hope also that all hon. Members will support those schools in their constituencies that are in the process of becoming academies.

Chris Bryant (Rhondda) (Lab): May we have a debate in Government time about Government policy on singing "Jerusalem" at weddings? If a heterosexual couple get married in church, many clergy will refuse to allow it to be sung, because it is not a hymn addressed to God; if a straight couple get married in a civil wedding, they are point blank not allowed it, because it is a religious song; if, however, a gay couple have a civil partnership, under Government plans they will be allowed to sing it. So can we make sure that "Jerusalem" is not just reserved for homosexuals?

Mr Speaker: I want to hear the Leader's reply!

Sir George Young: I think that "Jerusalem" should be sung on every possible occasion.

Nadhim Zahawi (Stratford-on-Avon) (Con): How do you follow that?

May we have a statement about the future of the NHS Blood and Transplant service in view of the campaign to suggest that the Government are looking to privatise it? As I suspect that this is yet another myth that is being pushed out about the NHS, it would be helpful to have a statement to put it firmly back in its box.

Sir George Young: My hon. Friend is right. This is a myth, as there are no plans to privatise the NHS Blood and Transplant service, which will remain in the public sector.

Diana Johnson (Kingston upon Hull North) (Lab): McMillan nursery in Hull, which has been rated outstanding by Ofsted, will close on 10 June because of the cuts to children's centres by the Lib Dems. Can we have a debate in Government time on the reality of the policy that the Government keep talking about—early investment in our young people and children—and what it is doing for our poorer communities around the country?

Sir George Young: The Government have put in enough money to maintain the network of Sure Start centres. I understand that the hon. Lady's party is now in control of Hull city council, so perhaps she would like to address her remarks to that council.

Chris Heaton-Harris (Daventry) (Con): May I ask the Leader of the House for a debate on the Olympic legacy? This week it was announced that the Olympic torch will travel through the country and stay in many cities and towns overnight. Alas, the county of Northamptonshire is missing from that list. We are feeling a bit sorry for ourselves because not too much of the Olympic legacy is flowing our way, and I would very much like to debate that in this place.

Sir George Young: I understand my hon. Friend's disappointment that the proposed route does not go through his constituency or, apparently, his county. I will draw his remarks to the attention of the Olympic committee that is responsible for the route and see whether there is any chance, at this late stage, of amending it.

Nic Dakin (Scunthorpe) (Lab): The regional development agencies provided an effective and timely response to sudden localised challenges in the economy. With the demise of the RDAs, will the Leader of the House arrange for a statement to spell out how the Government will respond to such challenges in future?

Sir George Young: We have debated on several occasions the Government's plans to replace the RDAs with local enterprise partnerships, so there have been opportunities to have that discussion. I hope that the LEPs will respond with enthusiasm to projects in his constituency that deserve support and that they will be more nimble-minded and flexible bodies than the RDAs.

Robert Halfon (Harlow) (Con): May we have a debate on falling unemployment? In Harlow in the past three months, 200 more jobs have been created and unemployment has fallen to 2,400 from a peak, under Labour, of well over 3,000. Does my right hon. Friend agree that the best way to bring jobs back to Harlow and elsewhere is by boosting apprenticeships and cutting taxes for businesses, rather than the policies of Labour Members?

Sir George Young: I agree. I am sure the whole House will welcome the drop in unemployment that was reported yesterday, and I am pleased to hear what is happening in Harlow. We have undertaken a number of measures to reduce youth unemployment, in particular. We have announced a new innovation fund with £10 million a year to fund organisations working with young people through social finance models and a package of additional support for 16 to 17-year-olds' jobseeker's allowance, including more adviser support, access to work clubs and work experience. I hope that we can build on these measures and make much more progress in Harlow and other constituencies.

Mr John Spellar (Warley) (Lab): I should like to ask a further question regarding Baroness Warsi. Business before pleasure, however, and I must ask about the impact of compulsory water metering on gardeners—the water tax. Last Thursday, I asked the hapless Secretary of State for Environment, Food and Rural Affairs why she was even considering compulsory water metering, and her reply completely avoided the subject. Will the Leader of the House arrange for a statement next week—the week, incidentally, of the Chelsea flower show—in which the Secretary of State can categorically rule out compulsory domestic water metering?

Sir George Young: I will draw the right hon. Gentleman's concern to my right hon. Friend's attention and ask her to write to him about our policy on compulsory water metering. I am sure that he shares the concern of Members on both sides of the House about doing all we can to drive down water consumption and conserve water, and I hope that he will not rule out measures such as the one that he has touched on.

Graham Evans (Weaver Vale) (Con): Last weekend, my youngest son went on his first cubs camp, and I went along as a helper. However, I was not able to stay at the camp overnight because I do not have an up-to-date Criminal Records Bureau check for the cubs. That is a pity, as I have helped out at the same Cheshire cubs branch, which my older son went to, for the past seven years. May we have a debate on the over-the-top CRB requirements that can be such a disincentive to volunteering?

Sir George Young: I would like to find time for such a debate, and perhaps the Backbench Business Committee could provide it. One of the unforeseen consequences of trying to protect children by introducing CRB checks is that fewer people are then able to help children through voluntary organisations such as the scouts. We have to try to get the right balance that gives children the protection to which they are entitled but does not discourage volunteers such as my hon. Friend from playing an active part in their activities.

Barry Gardiner (Brent North) (Lab): If the Government are to help to make substantial progress at the United Nations framework convention on climate change in December, they will have to get their submissions in before the summer recess. May we have a debate in Government time on the Floor of the House before the recess to discuss the UK's contribution to Durban?

Sir George Young: We have just had Energy and Climate Change questions; I do not know whether the hon. Gentleman had an opportunity to ask that question then. I will certainly undertake to ensure that any submission is made in good time, and I will pass on his concerns to my right hon. Friend the Secretary of State.

Christopher Pincher (Tamworth) (Con): May we have a debate on the role of the private sector in job creation—an issue that goes to the heart of the Government's strategy for sustainable growth? Given that the Office for National Statistics has announced 77,000 more jobs in the private sector, it seems a timely moment to discuss the progress being made to rebalance the economy.

Sir George Young: My hon. Friend raises an important issue. Private sector employment increased by 449,000 between December 2009-10, and public sector employment fell by 132,000, so that rebalancing is beginning to take shape. If my hon. Friend looks at the Office for Budget Responsibility report, he will see that it forecasts an increase of 900,000 jobs over the next four years, with 1.4 million in the private sector, which more than counterbalances the fall in employment in the public sector. Rebalancing is on its way.

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): An answer to a recent parliamentary question highlighted the fact that more than 1,200 young people under the age of 18 serving in our armed forces had sustained some form of injury during a 12-month period. In the light of this and other concerns about the recruitment of under-18s, can we find time to have a debate on this, either in the context of the Armed Forces Bill or in another way?

Sir George Young: I did not announce the business for the rest of June, but I anticipate that we will take the remaining stages of the Armed Forces Bill, when there will be an opportunity for the hon. Lady to make her point.

Julian Smith (Skipton and Ripon) (Con): Small parish councils remain very concerned about the decision by Her Majesty's Revenue and Customs to force them to pay their parish clerks through the pay-as-you-earn system. May we have a debate about how we can exempt small parish councils from this legislation?

Sir George Young: Like my hon. Friend, I have a large number of small parish councils in my constituency. It is very important that they are not discouraged in any way by unnecessary bureaucracy. I will share his concern with the Financial Secretary to the Treasury and ask him to write to my hon. Friend outlining our policy on PAYE and parish clerks.

Katy Clark (North Ayrshire and Arran) (Lab): The Leader of the House will be aware of the concern about the activities in protest groups of undercover police officers such as Mark Kennedy. A review is being carried out by Her Majesty's inspectorate of constabulary. Will the Leader of the House ensure that there is a statement to the House once that report becomes available?

Sir George Young: I will give my right hon. Friend the Minister for Policing and Criminal Justice who is replying to Monday's debate on the police notice that the hon. Lady has raised this issue and see whether we can deal with it in the opening or closing speeches.

Bob Blackman (Harrow East) (Con): On Monday, the Government published the long-awaited report on the process of compensation for Equitable Life policyholders, thereby honouring another part of our pledge properly to compensate those people who were so scandalously treated by Labour. However, that weighty tome has given rise to several concerns among MPs in all parts of the House, and I wonder whether there will be an opportunity for a statement or a debate in the House so that the Minister can respond on the record to those concerns for the benefit of the wider public.

Sir George Young: I understand the concern of policyholders to which my hon. Friend refers. I cannot find time for a debate, but it strikes me that he could raise the issue at the next round of Treasury questions or put in for a debate in Westminster Hall, where there have been several debates on Equitable Life. I am sure that several other colleagues would like to attend such a debate.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): Further to the right hon. Gentleman's answer to the hon. Member for Truro and Falmouth (Sarah Newton) on the coastguard review, the consultation closed earlier this month, but was extended by the Secretary of State for Transport to allow the Transport Committee to carry out its investigation, which is very positive. However, it is clear from speculation in *The Times* this morning and from the reassuring statements in Westminster Hall from the Under-Secretary of State for Transport, the hon. Member for Hemel Hempstead (Mike Penning), who has responsibility for shipping, that the proposals will not proceed in the form in which they were consulted on. May we have an updated ministerial statement on what conclusions have already been drawn and an assurance that the original decision to report back to the House before the summer recess will be adhered to?

Sir George Young: I understand the hon. Gentleman's concern. The Under-Secretary of State for Transport, my hon. Friend the Member for Hemel Hempstead (Mike Penning), who has responsibility for the coastguard service, will be giving evidence to the Transport Committee in the relatively near future. That will be an opportunity for such questions to be answered.

Mr Philip Hollobone (Kettering) (Con): Will Her Majesty's Government table their amendments to the Armed Forces Bill in good time, and will the Leader of the House confirm that those amendments will enshrine the military covenant in law, as the Prime Minister wishes, and not simply beef up the report on the covenant, as the Ministry of Defence is seeking to do?

Sir George Young: We had a statement on that matter this week, and I am sure that my hon. Friend will have read that exchange. Of course the Government will want to table any necessary amendments in good time for the House to see them and, if necessary, for Members to table their own amendments.

Mr Dave Watts (St Helens North) (Lab): Given the poor response to the Deputy Prime Minister's puny reforms of the House of Lords, may we have a debate on whether it would be better to pass this matter to another Minister who can make more progress?

Sir George Young: No.

Andrew Bridgen (North West Leicestershire) (Con): May we have an urgent debate on trends in employment, as it is clear from the latest figures that the overall situation is far more complex than the headlines might suggest? In my constituency of North West Leicestershire, there are currently 1,513 claimants, who make up 3.3% of the economically active population. There has been a welcome fall of 10% in that figure over the last year. It would be helpful if the debate compared the overall fall in unemployment in the quarter to March this year with the number of people on jobseeker's allowance.

Sir George Young: My hon. Friend is right to say that one has to drill down into the figures to get a truer picture. The rise in JSA payments, to which he referred, was due in part to new measures to move single parents whose children are attending school off employment and support allowance and on to JSA. The important figures are the continuing fall in unemployment and the continuing rise in employment.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): A 19-year-old constituent of mine, Paul Lawrence, has been on remand since February. He is autistic and has been diagnosed with Asperger's. He has tried to hang himself and has taken an overdose while in prison, and yet he has been kept locked in his cell, until recently in isolation, and is only let out for meals. His mother is constantly worried about his safety. May we have a debate about how vulnerable people are treated while on remand?

Sir George Young: There will be a debate on sentencing on Monday, during which the hon. Lady may have an opportunity to debate that matter. Some of the decisions on whether somebody should be on remand are decisions for the courts, and it is important that they retain their independence.

Mr Speaker: I am grateful to the Leader of the House and colleagues for their co-operation.

McNulty Report and West Coast Rail

12.43 pm

The Secretary of State for Transport (Mr Philip Hammond): With permission, Mr Speaker, I would like to make a statement about the publication today of Sir Roy McNulty's independent study into value for money in the rail industry, and to update the House about the west coast franchise process.

Sir Roy's report notes that UK rail has enjoyed a revival in recent years, with strong and resilient growth in overall passenger numbers and in passenger satisfaction, and huge improvements in reliability and safety. The Government want Britain's railways to continue to prosper and have demonstrated by their actions their commitment to them. Despite the difficult fiscal climate, we have allocated funding to complete Crossrail and Thameslink, and to support the upgrade of the London underground. We have announced electrification on the great western main line and in north-west England. We have resumed the intercity express programme to improve reliability, comfort and journey times on the east coast and Great Western main lines. We have given the go-ahead to the Ordsall chord project in Manchester and the Swindon to Kemble redoubling. We have confirmed the purchase of more than 2,000 new rail vehicles for Thameslink, Crossrail and other franchises, and the cascading of 100s more. Last but not least, we have begun the High Speed 2 consultation process.

But Sir Roy made another, less welcome, finding. Spending on the passenger railway has increased by 60% in real terms since 1996-97—that is more than £4 billion—and despite significant passenger growth, unit costs in 2009 were almost exactly the same in real terms as in 1996. Therefore, UK rail is now up to 40% more expensive per passenger mile than the railways of our European competitors. Allowing for unavoidable differences, Sir Roy estimates that UK rail costs are 20% to 30% higher than they should be, and that potential savings of between £740 million and £1.05 billion a year could be found by 2018-19 without any reduction in services. Those savings, added to the savings that Network Rail is committed to achieving up to 2014 and the savings that Sir Roy expects the regulator to seek from Network Rail over the period to 2019, should largely close the efficiency gap.

Many of Sir Roy's recommendations are directed to the industry, and the open and inclusive process that the study adopted means that some of them are already being implemented. The industry has come together to form a rail delivery group to provide the leadership that Sir Roy noted was lacking in the past. Network Rail has announced its plans to devolve significant autonomy to route managers across the network, starting with the Wessex and Scottish regions.

Sir Roy's remit, which was set by my predecessor and the Office of Rail Regulation which co-sponsored the study, was narrowly focused on the cost base of the railway. He makes a large number of recommendations. Over the coming months, the Government will consider the recommendations that are directed to them, and they will deliver their response later this year. Many of the recommendations on franchises reflect the changes that the Government have already announced. In addition, I can confirm today that my Department will accept

[Mr Philip Hammond]

Sir Roy's recommendation that it should conduct a full review of fares policy, which will include addressing anomalies in the current system and the potential for much greater use of smart technology. In parallel, the Government are developing a wider rail strategy to ensure that we have an affordable, sustainable, safe and high-quality railway that delivers a better deal to taxpayers and fare payers. It will set out clearly the roles of central and local government, train operators and Network Rail in securing the future of the railway.

This is urgent and vital work. Let us be in no doubt that the excessive cost base that Sir Roy has identified is the reason that UK rail fares are the highest in Europe by some margin, even though our levels of taxpayer subsidy are also among the highest in Europe. Let us be clear about the potential prize. The successful delivery of cost reductions over the next few years on the scale set out by McNulty would enable us to reduce levels of taxpayer subsidy and, at the same time, put the era of inflation-busting fare increases behind us.

To achieve the challenging targets for cost reduction and industry-wide efficiency that Sir Roy has identified, all players in the industry will have to work together. The train operators, Network Rail, rolling stock companies, unions and the Government cannot avoid playing their part if we are to deliver a sustainable and affordable railway for the future.

Sir Roy makes it clear that the Department needs to step back from excessively detailed specification of train services and the micro-management of rail operations. I recognise that that will represent a major culture change, but it is one that I am determined to deliver. I would like to place on record my thanks to Sir Roy McNulty and his team for the excellent work they have done, and to welcome Sir Roy's commitment to working with the industry on an ongoing basis.

I also wish to announce to the House the publication of the draft invitation to tender and stakeholder briefing document for the intercity west coast franchise, which lays out the train service specification that I am minded to procure for that route. As I have said, the Government have already adopted Sir Roy's recommendation that franchise specifications should become less prescriptive. The proposed train service specification for intercity west coast represents a relaxation of the rigid timetable specifications of the past, while retaining obligations that protect the key elements of service such as principal first and last train services and minimum numbers of station stops per week and per day. That marks a significant shift from the micro-management under the current system that has prevented operators from maximising capacity and reacting to the changing demands of their passengers.

Among other proposed changes, we intend to replace the current cap and collar revenue-sharing system that has driven perverse behaviour by train operators with a gross domestic product-based risk-sharing arrangement and a profit-sharing mechanism that will ensure that the taxpayer benefits from any unexpected profits over the term of the franchise.

Because the relaxation of the full prescription of train services in line with Sir Roy's recommendations was not signalled in the consultation document that we published on 19 January, I have decided that it is right and proper to consult on the proposals again, starting today and ending on 17 August. As a consequence of that decision, I can inform the House that the new franchise for the intercity west coast will now be awarded in August 2012, after a competitive process involving the four shortlisted train operators, and will commence operations on 9 December 2012. In making that decision, I have deliberately avoided a change of franchise immediately ahead of or during the Olympic period. I have also decided to take advantage of the short delay to complete the integration of the 106 new Pendolino carriages into the fleet prior to the commencement of the new franchise. The Department will seek to agree acceptable terms with the existing franchisee for a contract extension to 9 December 2012, but Directly Operated Railways Ltd, the Government-owned company that runs East Coast, will be ready to operate the franchise between April and December 2012 if necessary.

Copies of the rail value-for-money study and the draft invitation to tender for the west coast main line have been placed in the Libraries of both Houses and are available on the Department's website. Our expectation is that future passenger franchises on UK rail will allow operators greater flexibility to meet passenger demand and pursue innovation, while protecting the key elements of service for passengers.

Longer franchises and a changed relationship with Network Rail will have a positive impact on the behaviour of train operators and their appetite for investment and risk taking. However, I want to send a clear message that the new culture of co-operation in the rail industry, and the focus on cost reduction, is here to stay and is mandatory, not optional. I can announce today that as a matter of policy for all future franchise competitions, a significant part of the assessment of bidders' capability at the pre-qualification stage will be evidence of success in collaborative working and driving down costs.

The facts are clear: our railway costs too much, and in consequence fares are rising faster than inflation and taxpayer subsidy has reached unsustainable levels. To secure the future of the railway, we now have to tackle that problem after a decade of ignoring it and get costs into line with those of our European comparators, bringing relief to taxpayers and the prospect of an end to the era of above-inflation fare increases to passengers. I commend this statement to the House.

Maria Eagle (Garston and Halewood) (Lab): I begin by thanking the Secretary of State for early sight of his statement. May I place on record the thanks of Labour Members to Sir Roy McNulty for the detailed and thorough work that he has carried out? As the right hon. Gentleman acknowledged, that work began under the previous Government.

I have said before that we would look seriously at the conclusions of the value-for-money review and support any sensible proposals to take costs out of the industry. I promise again today that we will study the details of Sir Roy's report, and that it will inform our own transport policy review.

I agree with the Secretary of State that we should reduce the public subsidy to the rail industry, and we need to be clear about why much of that subsidy exists if we are to address it effectively. It is partly the result of the enormous structural fragmentation within the industry, and let us be clear that that fragmentation is the legacy of the botched privatisation carried out in the dying days of the last Conservative Government. The Secretary of State should have apologised today for the shambles of that privatisation and the staggering sums of money wasted as a result. Unlike him, I take our share of the responsibility for being too timid about addressing that fragmentation during our time in government.

Closer working between train operators and Network Rail makes sense, and I support the internal reorganisation that is going on at Network Rail and many of the proposals that have been made to ensure that costs are removed through greater partnership. I am pleased that the Secretary of State appears to have stepped back from his earlier plans for the wholesale breaking up of our rail infrastructure, which would have been a costly mistake and added yet more fragmentation to the industry. Can he confirm that he does not intend to proceed with an experiment of handing track over to train operating companies within any of the franchise areas? Previously there has been briefing that the East Anglia franchise would be used for that experiment. Can he reassure the House that that is no longer the plan?

I welcome the Secretary of State's decision to establish a proper review of fares. Despite the efforts that we made, the current system is too complex and leaves passengers frustrated. However, does he understand why passengers will have very little faith that he does not intend to impose yet further hikes in ticket prices? At a time when families are feeling the squeeze on their household budgets, he has imposed fare rises of more than 30% over the next three years. I believe he was wrong to give back to train companies the right to average out the cap across their fares, rather than apply it to each fare individually as we insisted when we were in government. He was also wrong to increase the cap on regulated fares from 1% to 3% above inflation.

In opposition, the current Minister of State said that fare rises of such a level would

"price people off the railways",

and the Under-Secretary of State, the hon. Member for Lewes (Norman Baker), promised below-inflation fare rises—more broken promises from the two Government parties. Will the Secretary of State reject proposals to give the train operating companies greater freedom to set the level of fares? Will he listen to his own consumer watchdog, Passenger Focus, which has today described the suggestion of reducing regulation on off-peak tickets as a "leap in the dark"? Does he share its concern, as I do, that if the plans go ahead, we might end up with affordable, flexible travel for longer journeys being confined to a brief window in the middle of the day?

Will the Secretary of State also reject the suggestion to remove any role for politicians in the setting of fares, which would effectively remove any public accountability for fares through the ballot box? The link between the fare box and the ballot box should not be broken.

May I urge the right hon. Gentleman to approach reform to staffing levels and pay and conditions within the rail industry in a spirit of partnership, not confrontation? That is something that we have not seen in the language and tone of briefings by his Department in recent days. I urge the trade unions to work with the Government as they look to carry out reforms within the industry, but will he ensure that he includes those who represent staff on the high-level group that he is establishing to take forward these reforms? As he considers staffing, will he understand the value that passengers place on staffed trains and open ticket offices, and the fact that women in particular feel safer in properly staffed stations, particularly late at night?

We have heard today the extent to which the right hon. Gentleman's policy on rail franchising has descended into chaos and confusion, with his decision to delay the awarding of the west coast franchise. Can he confirm that First Group is to hand back its Great Western franchise three years ahead of schedule? Is the reason that it has given for that decision, as reported in the press, that it has calculated that it will make losses in the final years of its franchise period? Does he agree that that is unacceptable?

Will the Secretary of State confirm that there is a possibility that the east coast main line, the west coast main line and the Great Western franchises will all be run by the Government while he decides what his franchising policy is? Does that not make a mockery of the whole franchising system?

Does the Secretary of State understand why commuters in East Anglia are dismayed at the cost and chaos of his decision to award a contract for less than two years, risking three owners in as many years, with only the companies that supply the paint to redo the liveries benefiting? Are not the future of franchising, the massive public subsidies that go to the private train operating companies, and the vast sums that leave the industry in profits the big missing pieces of the work of looking at costs in the industry?

I welcome the Secretary of State's decision to replace the current cap and collar revenue-sharing system, but does he agree that we will not get the costs of the industry under control until we look seriously at its structure and the future of franchising? The public want a simplified industry—one in which the driving force is less maximising profit and squeezing every last penny out of the fare payer and the taxpayer, and more the delivery of a world-class service. That is why I have committed Labour's policy review to look at alternative models for the future of the rail industry, including not-for-profit models. I urge him to do the same.

Finally, the right hon. Gentleman's statement was not the only announcement to be widely spun and briefed to the media in advance of his coming before the House. Several newspapers are reporting that he has abandoned his plans to close more than half the UK's coastguard stations, yet the Opposition understand that far from abandoning the plans, he has simply put them on hold. Those plans were never agreed by Ministers in the previous Government, and I would not have approved them. Will he now take this opportunity to end the huge uncertainty facing coastguard stations and agree to abandon those reckless proposals?

Mr Hammond: I might get some guidance from you, Mr Deputy Speaker, on whether it is appropriate for me to respond to the hon. Lady's comments on coastguards—I would be happy to do so if you indicate that that is in order.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. It is up to the Secretary of State which points he wishes to answer.

Mr Hammond: Thank you, Mr Deputy Speaker, for that very helpful guidance.

I am grateful for the hon. Lady's comments about Sir Roy, who was of course appointed by my predecessor. I very much hope that we can take forward the rail reform agenda with a degree of cross-party consensus, which would be very helpful—realistically, it is asking a great deal to expect that we will agree on everything.

The hon. Lady blames "structural fragmentation" for the high cost of our railway. She obviously has not yet had a chance to read the full report, but when she does, she will see that Sir Roy identifies many causes. However, she seems to be displaying the famous Labour disease of collective amnesia. She might recall the inconvenient facts that her Government created Network Rail a decade ago, and that her Government spent 13 years in power doing nothing at all about the structural fragmentation of which she now complains.

The way forward that passengers and taxpayers would expect us to take for our railway is one of evolution rather than revolution, although that evolution must be rapid. I have taken a conscious decision, which I conveyed to Sir Roy, that I would like to see how far we can go within the existing railways legislative framework rather than spark an ultimately unproductive and, for passengers, entirely unhelpful political debate over the next couple of years on major railway legislation. The idea of Sir Roy McNulty's agenda is to take forward significant reductions in costs in the railway within the existing legislative framework.

The hon. Lady asked about track-train integration. As she will know, Sir Roy has suggested that we pilot closer integration between train operators and the devolved Network Rail infrastructure operations on the different routes and regions. Sir Roy suggested that the railway is not homogeneous, and that we should go forward at different paces on different sections of our railway. I agree with that general principle. We will look very carefully at Sir Roy's specific proposals and suggestions on track-train integration, and incorporate a response into the wider rail reform proposals with which I intend to return to the House before the end of this year.

The hon. Lady welcomed the fares review, and I am grateful to her for that. She asked whether the review is a cover or code word for increases in prices, but I say this to her: the Government want an end to the era in which fares rise faster than inflation, but we can do that only by delivering Sir Roy's savings and by getting the costs of our railway back under control. That prize is within our grasp if we progress Sir Roy's agenda. To reassure her, I have no intention of ending the system of regulated fares. That is not suggested by Sir Roy, and I know not where she got the idea that I was in favour of it.

The hon. Lady asked me to try to take a collaborative approach with the unions on labour productivity. I would be delighted to do so if an opportunity arises. I was slightly heartened by what I heard Bob Crow say on the radio this morning, although I may have heard only a part of the total interview. He said he was willing to look at proposals for more efficient working practices, which is at least better than his saying that he is not willing to look at such proposals. We must be clear that all players in the industry must change if we are to harvest those savings. The prize for the unions is also big. The railway is a growing industry—it is not in decline, as it was before privatisation, but growing rapidly and robustly—and huge increases in passenger numbers are projected. If we can deal with the problems of the cost base, we could have a hugely successful business for the benefit of British fare payers and taxpayers.

The hon. Lady has won me a small bet by referring to my strategy on west coast franchising as being in "chaos and confusion", so I am grateful to her for that. In fact, I have today announced an example of open government. We could have progressed with the draft invitation to tender that I published today without further consultation, but I felt that because there has been a material change from the documents that we circulated at the time of the January consultation, it is right to consult again. That introduces a three-month delay, and I do not want the franchise changeover to come immediately before the Olympics, which necessarily means a delay until the latter part of next year, which gives us the opportunity to complete the integration of the Pendolino fleet. We have taken a set of careful and interlinked decisions on the timetable for that franchise, and I hope that, on reflection, she welcomes the approach that we have adopted.

The hon. Lady asked about First Great Western. It is of course true that First Great Western has decided to exercise the break clause that exists in its franchise, which allows it to surrender it in 2013 rather than in 2016. However, before she adopts too strident a tone, she should remember who let that franchise with that break clause in it. First Group has exercised the rights that her Government gave it in that franchise. She might also reflect on the fact that her Government let the GNER franchise and the NXEA franchise before she gets too strident about them as well.

The hon. Lady mentioned profit in the railway. I do not consider "profit" to be a dirty word. I consider that proper incentives and profit-making companies delivering efficient public services can be effective ways of delivering for the taxpayer and the passenger. This Government will introduce a profit-sharing arrangement in new franchises, the like of which does not appear in the current crop of franchises, which her Government let, and the like of which would have prevented situations such as the one on the Trans-Pennine franchise, where profits of 30% on revenue are being earned. We will ensure that the taxpayer gets a fair share of any unanticipated profits that are earned over the lifetime of the franchise. I hope that we all have the same objective—the delivery of a world-class railway service that is affordable for taxpayers and for fare payers. However, to deliver that, we have to drive out cost-effectively and, after Members and others have heard what I have had to say and what the hon. Lady has had to say, it will be for them to decide who will most effectively be able to achieve that objective.

Mr Robert Buckland (South Swindon) (Con): Does my right hon. Friend accept that for many Swindon residents travelling to and from London to work during peak hours has resulted in eye-wateringly high fares for far too many years? What hope can he offer them for the future of peak-time rail fares?

Mr Hammond: There are two things that I can say to my hon. Friend. First, if we do not address the challenges that Sir Roy has set out, there will be only one direction of travel—worse services and higher prices. That is not acceptable to anybody in this House or in the country.

I want to make a point specifically about commuter fares and season tickets. At the moment, we have a very inflexible system of season tickets. People buy a season ticket which assumes that they will travel in peak hours every day. Increasingly, people have opportunities for flexible working patterns—indeed, the Government are committed to giving people greater opportunities for flexible working patterns. Smart ticketing technology will allow us to be able to start to recognise people who have a pattern of work that allows them to work at home one day a week or a fortnight, instead of their having to pay the rail fare even though they are not using the railway. That technology can help us to address some of the perverse incentives that season ticket holders currently have to use the railway in peak time when perhaps they do not always need to do so.

Geraint Davies (Swansea West) (Lab/Co-op): On the issue of value for money and rail electrification, can the Secretary of State undertake to have a look at transnational transport funding from Europe to help to support the case for the Swansea to Cardiff electrification? It would complete the electrification from Paddington to Swansea and, with the ferry link to Ireland, provide access to significant European funding.

Mr Hammond: I have already made a statement to the House on the economics of the electrification from Cardiff to Swansea and I am afraid that those economics have not changed, but if the hon. Gentleman is raising the issue of trans-European network funding, I am not aware that there is any still available. However, I undertake to have a look at that potential source of funding.

Dr Julian Huppert (Cambridge) (LD): I welcome this report and congratulate Sir Roy McNulty on it. Commuters and other travellers have suffered for far too long from high and complex fares and overcrowded trains. Can the Secretary of State assure me and all those who use the trains that the savings that must be made from the system will be returned to people in lower fares and better services?

Mr Hammond: I thank my hon. Friend for his question. I have to put it to him slightly differently: the savings will be returned to people in the form of lower taxpayer subsidy—which we have to deliver, because my Department, like every other Department, has to make its contribution to dealing with the fiscal mess that we inherited—and in due course, if they are successful, there will be lower pressure for upward real increases in fares. I would like to see a return to a world in which fares rise broadly in line with inflation, and a move away from the era of inflation-busting fare increase that we have faced over the last few years and, unfortunately, will have to face over the next three years.

Ian Lavery (Wansbeck) (Lab): The McNulty report did not seriously consider the possibility of the reintegration of the rail system into public ownership. I mention that because many systems abroad are largely in public ownership. One of the reasons why our system is at least 30% more expensive is the billions of pounds siphoned off in profits and dividends. Will the Secretary of State explain why they did not look at that option and why it is not on the table at the moment?

Mr Hammond: A good old Labour contribution from below the gangway! Sir Roy McNulty did look at the options of greater integration, but the hon. Gentleman might not be aware that things have moved on a little in Europe since the last time he read the manual. European law on railways has evolved, and the separation of train operations from track operations is now mandated across the European Union. While much of the railway is still in public ownership, it is not integrated in the way that he may imagine.

Sir Roy's clear conclusion was that a monolithic UK-wide system is not the direction of travel and that more devolution of responsibility and autonomy to route networks is the way forward.

Mr Edward Timpson (Crewe and Nantwich) (Con): Although I understand the reasons behind the delay in the decision on the west coast main line franchise, can my right hon. Friend reassure my constituents that the decision will include provision for the train operators to play a more active role in the future of stations, especially in their infrastructure and presentation to passengers?

Mr Hammond: Yes, I can give my hon. Friend that assurance. The proposal that we have put forward—as he will see when he has a chance to look at the invitation to tender—is that the train operators should be granted a peppercorn rent lease of the station for the duration of the franchise. We also propose a revised residual value mechanism, so that train operators have an incentive to invest capital in station infrastructure throughout their franchises with the confidence that they will be reimbursed a fair value for that investment at the end of the franchise.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does Sir Roy's report which, from what the Secretary of State has said, is very stimulating and interesting, mention the possibility of mutualisation or a co-operative form for Network Rail? We want a profitable, safe and effective service but if, as MP for Huddersfield, I look at the rolling stock that gets my constituents to Wakefield, Leeds and Manchester, I see that it leaves a great deal to be desired. Could we also see some changes on that front?

Mr Hammond: I am sure that the hon. Gentleman will have been pleased by the announcement that we made recently about additional rolling stock for the commuter services into Leeds. Sir Roy did not specifically address the question of any form of mutual structure. Network Rail is of course an independent company, and as Secretary of State I do not have any power to direct it. There are issues of the governance of Network Rail that need to be addressed, and I accept that, but I suggest that the urgent need is to look at its operational structure. The issues of governance and the rather theoretical question of ownership can be looked at on a longer time horizon. Right now we need to drive out cost.

Mr Marcus Jones (Nuneaton) (Con): Following the work of the last Government, there are no fast off-peak services on the west coast main line to or from Nuneaton station. Many of the fast off-peak trains thunder through Nuneaton station half empty while there is a strong demand for off-peak services to and from that station.

[Mr Marcus Jones]

Will the west coast main line specification make it possible for franchisees to look, for example, at changing services so perhaps a fast train could stop at Nuneaton station every hour, trading off a small increase in end-to-end journey times for the possibility of maximising revenue on that service?

Mr Philip Hammond: I thought, at the beginning of my hon. Friend's question, that perhaps he had missed what I said about less departmental micro-management, but I saw from how he ended that he had not missed it all. We will not mandate the new franchisee to do what he describes, but we will make it possible by relaxing the rigid timetabling and specification imposed in the past. We will also give operators an incentive to do so. By moving away from the cap and collar revenue-sharing regime, we will make operators much more responsive to the demands of passengers waiting on a platform and ready to pay good money to get on a train. In the past, that has not always been the case, because 80% of what passengers handed over went directly to the Government.

Mr Jim Cunningham (Coventry South) (Lab): I note what the Secretary of State said about subsidies and fares—we will return to that later in the year—but will he give us a progress report on the Coventry Knuckle project, which I am sure he knows a lot about, because it would help Coventry's economic situation?

Mr Hammond: As the hon. Gentleman knows, I had a productive meeting with him, some of his parliamentary colleagues and local councillors about the project. I think they took from that meeting clear guidance on what needs to be done to raise the project's prospects of achieving local authority major scheme funding. I remain happy to engage with him and his colleagues in progressing that project.

Amber Rudd (Hastings and Rye) (Con): Wages in Hastings have fallen dramatically against the rest of the south-east in the past 10 years, but wages of commuters are significantly higher. Does the Secretary of State agree that if we manage to redress the imbalance between the continually deteriorating service and higher wages, we would improve the regeneration of towns such as Hastings as well as the quality of life of commuters themselves?

Mr Hammond: My hon. Friend is right. High-quality rail services deliver major economic benefits to the towns they serve, which, of course, is one of the major rationales behind the Government's enthusiasm for the high-speed rail project.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): What consideration has been given to a Welsh franchise based on a not-for-profit model operated by the Welsh Government? I believe that is the policy of at least two of the main parties in the National Assembly.

Mr Hammond: I am pleased to be able to tell the hon. Gentleman that franchising policy in Wales is a matter for the Welsh Assembly Government, so it will be for them to decide when the current Arriva Trains Wales franchise comes up for renewal, which—off the top of my head—is in 2016. However, I said something this morning that he will be interested in: I indicated that when we return to the House later this year with our proposals for broader rail reform, we will consider the greater devolution of regional railways and regional railway funding, both to the devolved Administrations and to local authorities and integrated transport authorities around the country. That will enable us to oversee the national strategic rail routes, but not manage the regional and local railways system, from the Department in London. That seems a sensible way of proceeding.

Duncan Hames (Chippenham) (LD): I welcome the greater autonomy for Network Rail route managers in the Wessex area, because rail passengers in my constituency are endlessly frustrated by the pass-the-parcel attitude to responsibility for performance on the railways. In the light of First Great Western's recent announcement, will the timing for the letting of the Great Western franchise enable the Government fully to embrace the McNulty report proposals in setting out the future of rail travel for my constituents?

Mr Hammond: Yes, of course. The fact that the Great Western franchise will be re-let in 2013 will enable us to bring forward to that date the incorporation of the benefits of McNulty's work. However, I would re-emphasise that one of Sir Roy's key conclusions—one that I strongly share—is that our railway is not the same in every area. What is right for the west coast main line might not be right for the East Anglia franchise. What is right for the northern franchise might not be right for the south-eastern franchise. We will consider each franchise individually, and look at different models appropriate to the type of railway involved. We will proceed on that basis, and we will learn as we go.

Mr Bob Ainsworth (Coventry North East) (Lab): The west coast main line has improved dramatically over the years in both capacity and reliability, because of the investment made. However, it is the victim of its own success. Use has risen exponentially and the trains are packed at peak times. Despite what the Secretary of State said about regulated fares, there is a widespread fear that the proposals he has announced will allow substantial increases in off-peak rail travel fares. If that is so, it will not only damage people travelling in off-peak periods, but remove the incentive to plan one's travel and thus make the crush at peak times even worse. What can he say in response to those fears?

Mr Hammond: I can say that they are unfounded. By the way, the right hon. Gentleman made the case for High Speed 2 more eloquently than I could. It will deliver a massive increase in capacity on the west coast corridor and allow much more innovative and flexible services on the west coast main line, which is now operating at—or very close to—capacity. However, there is a serious point about pricing and cliff edges in the pricing system. Anyone who stands at Euston station on a Friday evening will see that nobody wants to board a train at 6.50 pm or 6.55 pm, because that means paying the peak fare. They are all trying to get on the train at 7.2 pm, to the extent that the British Transport police regularly have to deploy to physically keep people off the trains for safety's sake. That is a barmy pricing system. We have to consider the anomalies of massive cliff edges and try to smooth them out, so that there is less of an incentive not to travel on a particular train. However, overall I would expect such a move to be revenue-neutral across regulated fares; this is about managing the system better, not raising more money.

Mr Philip Hollobone (Kettering) (Con): One of the understandable grumbles of the Kettering rail users group is that for historical reasons the fare for a journey from Kettering to London is disproportionately higher than that for a journey to London of a similar length from other places. Will the fares policy review seek to iron out such anomalies?

Mr Hammond: I do not want to pre-empt the rail fares policy review, to which I am sure that my hon. Friend will make a submission, but I have recently enjoyed meeting the Northampton rail users group, and the Minister of State has just said that she would be happy to meet the Kettering rail users groups, so perhaps we can carry a dialogue forward.

John McDonnell (Hayes and Harlington) (Lab): I refer to my entry in the Register of Members' Financial Interests. On a constituency matter, with regard to First Great Western and the handing back of the franchise, I would welcome the Secretary of State or the Minister convening a meeting of the relevant MPs along that line to discuss the security of service provision. This looks like a creeping re-nationalisation of the railway service—but there we are! However, as the Secretary of State said, there is a big staffing agenda. All three rail unions have welcomed the opportunity to work with the Government on that agenda. However, it is crucial that they are represented at every level of the industry and in every forum discussing the staffing agenda. It is not conducive to good industrial relations to have statements about threats of further anti-trade union legislation at this time.

Mr Hammond: I will have to disappoint the hon. Gentleman on creeping re-nationalisation: there is not one, and I can assure him that so long as I am in this job, there will not be one. However, I am happy to meet MPs along that route to talk about the Great Western franchise. First Group will continue to operate the franchise until 2013, and it has assured us that it will operate it as normal and run the franchise properly during that period. It has every incentive to do so, because, as I just announced, our policy is that eligibility for participating in franchise competitions will depend on demonstrated ability to deliver co-operative working, and to bear down on cost pressures.

I am absolutely ready to meet the unions. In fact, I think my office is in the process of arranging a meeting with the rail unions through the TUC, which I hope can play a constructive role in this process—it is a process I think we all want—of making this a viable and affordable industry that has a bright future, and which will employ not fewer but more people as the railway expands on the trajectory of current projections.

Jeremy Lefroy (Stafford) (Con): I welcome the Secretary of State's approach to the west coast main line franchise. As has been said, overcrowding in standard class in particular is a problem on the west coast main line. I pay tribute to the quality and courtesy of the staff I encounter in difficult circumstances. However, first-class carriages are often under-utilised. Can he confirm whether the new franchise will include a duty to take all practical measures to ensure that people do not have to stand on trains that often travel at more than 120 mph?

Mr Hammond: As I said earlier, the intention is to be less prescriptive. Train operators already have the freedom to de-designate first-class carriages and reconfigure their trains if they want to, and all the new Pendolino cars that will be inserted in existing nine-car sets will be standard-class carriages. I do not want to talk about imposing a specific duty on operators, but they will have to deliver on targets to reduce overcrowding, and we have powers to force them to take action if they do not.

Kelvin Hopkins (Luton North) (Lab): I had the pleasure of meeting Sir Roy McNulty on two occasions during his consultation. I put to him the points made by Tom Winsor, the former rail regulator, that British Rail worked miracles on a pittance and that when the railways were handed over to the privateers, they were handed over "in good order"—his words. Also, the Catalyst report recorded BR as having the highest productivity of all the railways in Europe. BR was desperately underfunded, with not enough investment, but it worked miracles on a pittance. I also put it to Sir Roy that the staggering rise in costs that has occurred since privatisation is a direct result of privatisation. I personally believe that it is pie in the sky to think that we will bring those costs down without public ownership again. When is the Secretary of State going to look at that again?

Mr Hammond: I am not. I think the hon. Gentleman suffers from the disease—which I have noticed is quite widespread—of taking a rose-tinted retrospective view of British Rail. People were quick enough to criticise and complain about British Rail's performance when it was operating; now, at 15 years' distance, that era suddenly appears to have been some halcyon period of British excellence. The hon. Gentleman is right that British Rail operated the railway on a shoestring at relatively low cost, but in doing so it built up a tremendous legacy of under-investment and disregard for safety risk, the terrible consequences of which we saw only too clearly in the late 1990s and the early years of this century.

Graham Evans (Weaver Vale) (Con): I welcome this report and the associated cost reductions on the west coast main line. We can learn from this report, so will my right hon. Friend please ensure that the forecast build and running costs for High Speed 2 are not exaggerated?

Mr Hammond: Yes. The High Speed 2 business case and the build and running costs put forward in the consultation document incorporate the Treasury's generous additional percentages for risk and optimism bias—with as much as 60% added to the basic costs in some cases—to address the very concern that my hon. Friend outlines.

Jeremy Corbyn (Islington North) (Lab): In all this emphasis on devolving and transferring responsibility to train operating companies, does the Secretary of

[Jeremy Corbyn]

State not recognise that there is a danger of losing the whole principle of having an integrated rail service, with integrated timetabling and ticketing for those who make complicated journeys? Additionally, he did not say very much in his statement about reopening disused branch lines, which could well benefit by becoming a useful feeder service into the network, or about the east-west freight line, which is so important in increasing freight usage and using existing rail tracks more efficiently.

Mr Hammond: I am grateful for the hon. Gentleman's question, which allows me to make an important point. Integration in the railway at the level of timetabling, planning and route network operation is important. The hon. Gentleman will not have had a chance to read the report yet, but Sir Roy makes that point clearly. Those things have to be done on an industry-wide basis; they cannot be fragmented when greater autonomy is devolved to network rail route managers or when train operators are given greater flexibility.

The hon. Gentleman also talks about reopening disused lines. I am afraid to tell him that work on the cost base has a little way to go before that becomes a practical reality. However, as I said earlier, I intend to look carefully at the case for devolving responsibility for commissioning services and the budgets with which to do that for regional and local railways later this year. I would expect decisions to reinstate any currently disused lines to be taken at that level.

Andrew Jones (Harrogate and Knaresborough) (Con): I congratulate the Secretary of State on this encouraging report. What are the prospects for improved rolling stock on the Leeds-to-York line via Harrogate and Knaresborough? We have rapidly growing numbers of passengers on the route, but the rolling stock is some of the very worst that I have seen in the country.

Mr Hammond: I am grateful to my hon. Friend for his question. As I mentioned earlier, an announcement was made recently about additional rolling stock for services into Leeds. I had it in my mind that that covered the route in question, but he is testing the extreme edges of my memory now, so it would be better for me to write to him with the specific answer to that question.

Katy Clark (North Ayrshire and Arran) (Lab): Surely the Secretary of State must accept that fragmentation costs more. For example, I understand that Network Rail employs about 600 legal staff to negotiate with the train operating companies, and no doubt each operating company also employs significant numbers of such staff. Surely we should be looking at integration, as it will save us money.

Mr Hammond: The hon. Lady has obviously read the RMT press release from this morning. Of course there are additional frictional costs—interfaces—in the operation of the railway that we currently have, with franchisees and an overall network operator. However, there are also a lot of unnecessary costs that are caused by the adversarial relationship between Network Rail and the train operators. As I said earlier, I do not believe that the answer is some massive revolution that requires primary legislation and will take the rest of this Parliament to deliver. Instead, this is about getting people working together differently. Let us get to a railway that is different from the one that we have now. In the railway that we have now, the brightest and the best people in all train operating companies are the ones who spend their lives allocating responsibility for failure and collecting money from each other. Hundreds of people are literally spending their days trying to decide whether each delayed train is the responsibility of Network Rail or of this or that operator. That is not productive. Getting the industry to work together, looking at industry-wide costs and focusing on solving the problems, rather than allocating blame for them, is the way forward.

Points of Order

1.37 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): On a point of order, Mr Deputy Speaker. I wish to raise with you a matter relating to the rights of Members of this House. I have today received a notice about the restrictions being imposed on access to this House on the day of the visit by the President of the United States. I recognise entirely that it is essential to provide the President with maximum security. I recognise further that this will involve, and needs to involve, restrictions on access to this building by strangers—people who are not Members of this House. However, the notice includes a series of restrictions on access to this House by elected Members of this House. I regard that as unacceptable. It is also a violation of the Sessional Orders, which give every Member the right of access to this House in the service of his or her constituents. I would therefore ask you to have this matter re-examined urgently, so that while of course welcoming the President and providing him with security, we can at the same time maintain the right of Members of this House to come into this building whenever they need to.

Mr Deputy Speaker (Mr Lindsay Hoyle): What I can say is that we do not discuss security issues in this Chamber, and quite rightly so, as Sir Gerald will know, given that he is a very senior Member of this House with great knowledge. I suggest that he meet with the Serjeant at Arms to discuss the issues. He has put them on the record for the rest of the House to consider, but the right way to proceed is to sit down with the Serjeant at Arms. I will, of course, also pass on his comments to Mr Speaker.

Bill Esterson (Sefton Central) (Lab): On a point of order, Mr Deputy Speaker. I am glad that the Secretary of State for Transport is still in his place to hear my point of order. Have you had any indication from him that he intends to make a statement to the House to clear up the confusion caused by his comments on television and in *The Times* today? Coastguards at Crosby and across the country, and the public whom they serve, are extremely concerned about the proposed changes, as are Members of all parties across the House, and we would all appreciate some clarification in a statement from the Secretary of State.

Mr Deputy Speaker: That is not a matter for me, but the hon. Gentleman has placed his comments on record.

Backbench Business

[27TH ALLOTTED DAY]

BBC World Service

[Relevant documents: The Second Special Report from the Foreign Affairs Committee, The Implications of Cuts to the BBC World Service, Responses from the Government and the BBC to the Committee's Sixth Report of Session 2010-12, HC 1058; The Fourth Report from the Culture, Media and Sport Committee, on the BBC Licence Fee Settlement and Annual Report, HC 454.]

1.40 pm

Richard Ottaway (Croydon South) (Con): I beg to move,

> That this House notes the Sixth Report from the Foreign Affairs Committee, The Implications of Cuts to the BBC World Service, HC 849; endorses the Committee's support for the World Service's invaluable work in providing a widely respected and trusted news service in combination with high-quality journalism to many countries; considers that the unfolding events in North Africa and the Middle East demonstrate the continuing importance of the soft power wielded through the World Service; believes that the value of the World Service far outweighs its relatively small cost; and invites the Government to review its decision to cut spending on the World Service by 16 per cent.

This is an historic moment for the House of Commons, because this is the first debate in the House by a departmental Select Committee on a substantive motion relating to a major issue of public concern since the introduction of the new arrangements for Back-Bench business. This is good for democracy and good for the reputation of Parliament.

Power falls into three categories: military power, economic power and soft power. It is the view of the Foreign Affairs Select Committee that the BBC World Service is a key component of Britain's soft power. We recognise the economic constraints and the background to our report, but we believe that it is a mistake to implement the proposed heavy cuts to the World Service's budget. This is a question of priorities. We live in a fast-moving world where the internet and the media have grown in reach, influence, power and authority faster than anyone could have dreamed. It might seem odd to quote no less a person than Osama bin Laden on the importance of soft power, but, talking about jihad, he said:

> "The media war in this century is one of the strongest methods. It's...90% of the total preparation for battles".

He was talking about the power and influence of media communications—soft power.

Soft power is a rapidly growing way of achieving desired outcomes. In the cold war era, power was expressed in terms of nuclear missiles, industrial capacity, numbers of men under arms, and tanks lined up across the central plains of eastern Europe. Today, none of those factors confers power in quite the same way. The old structures are moving on. Cyber-attacks and the more subtle methods of the information age are the norm. Soft power—the power of Governments to influence behaviour through attraction rather than coercion—dominates. That point is not lost on the Foreign Office, high up on whose list of structural reform priorities—the reforms that it believes should have priority—is the

> "use of 'soft power' to promote British values, advance development and prevent conflict".

[Richard Ottaway]

I can think of no better definition or illustration of the need for the World Service, and it is the opinion of our Committee that the cuts to its output are a false economy. If anything, it should be expanded to address the concerns of a changing world, just as the security services and the number of diplomats to key sensitive postings have been expanded.

The BBC World Service is a priceless institution. Its value dramatically exceeds its costs. It is a key national and global institution at the forefront of international broadcasting, operating to the highest standards. In evidence to the Select Committee, BECTU—the Broadcasting, Entertainment, Cinematograph and Theatre Union—said:

> "The World Service is the world's most recognised news service."

The National Union of Journalists described it as a "force for good". A Chinese journalist told us that it was the most "trusted and respected" news service. The *Financial Times* described it as

> "one of Britain's principal sources of soft power".

Mark Thompson, the director-general of the BBC, described it as

> "one of the most precious things the BBC does and a lifeline to many tens of millions of people around the world who don't enjoy proper access to accurate, impartial, open media".

A listener said that it

> "punches far above its weight and brings a disproportionate amount of prestige and soft power to the United Kingdom".

Another wrote to me saying that it would be

> "better to cut the increase to the aid budget and bolster the World Service".

Mr Bob Ainsworth (Coventry North East) (Lab): First, may I thank the Chairman of the Select Committee for the leadership that he has shown during the preparation of the report? I believe that we have managed to produce an enormously influential report under his chairmanship. He was talking about the value of the World Service, but I know he recognises that that is changing. Others are investing in this area. For example, at this time of the Arab spring, we are seeing al-Jazeera becoming increasingly powerful in the influence that it brings to bear. Our influence is in great danger of being completely eclipsed.

Richard Ottaway: I thank the right hon. Gentleman for that, and for the support that he gives me on the Committee. I also thank him for his contributions to the Committee, and the expertise that he brings from his previous career. He is absolutely right about the changing world that we live in. I think that the Foreign Office gets that point. I do not wish to be critical of it, and I think that it does understand this, but we are trying to emphasise that the World Service represents one of the best ways of communicating with this changing world. The right hon. Gentleman makes his point well.

The World Service enhances Britain's credibility. I have heard a story that President Kikwete of Tanzania starts his day by rising at dawn and listening to the BBC World Service rather than the local Tanzanian media. Others record that Mikhail Gorbachev turned to the World Service for real information during the coup against him in 1991. It is no wonder that the Foreign Secretary said that

> "the BBC World Service will remain of fundamental importance to this country's presence in the world".

The strategic defence review singled out the World Service, saying that it

> "plays unique roles in promoting our values, culture and commitment to human rights and democracy".

In the interest of balance, however, I should report to the House that one listener wrote to me to say that it was a complete waste of money for the World Service to be broadcasting cricket to northern Europe. I had to point out that that was on long wave, and not the World Service and, unfortunately for him, he would have to continue to listen to ball-by-ball commentary and detailed analysis of the LBW rule.

The Select Committee believes that the World Service is a jewel in the crown which promotes British values of truth and democracy across the globe. In our motion, we say that its value "far outweighs its relatively small cost". As yet another Minister defects from Libya, the dramatic events in north Africa and the middle east show that soft power, properly deployed, is likely to bring even more benefit to the UK. In the fog of war and media spin, people everywhere trust the World Service to be fair, honest, courageous and decent. And so, by association, Britain is endowed with those same qualities. This is soft diplomacy, and it is valuable.

Rory Stewart (Penrith and The Border) (Con): Does my hon. Friend agree that a key element in this is that the Government's contribution to the World Service does not have to be a permanent one? The licence payer is going to take over the cost of the World Service in three years' time. Were the Government to cut the World Service by the same amount as the rest of the Foreign Office, there would be a temporary imposition on the taxpayer, not a permanent one.

Richard Ottaway: My hon. Friend is absolutely right, and I shall come to that point in a moment. It is the disproportionate nature of the cuts that is of concern to so many people.

Sir Menzies Campbell (North East Fife) (LD): On behalf of the Committee, may I thank my hon. Friend for so eloquently putting the case set out in our report? A moment ago, my hon. Friend the Member for Penrith and The Border (Rory Stewart) mentioned the question of governance. Does my hon. Friend the Member for Croydon South (Richard Ottaway) share the anxiety felt by many of us that the financial responsibility for the World Service will be transferred to the BBC budget, which is subject to a six-year moratorium with regard to any increase in the licence fee? Is there not a risk that the World Service will find itself competing with other parts of the BBC family—entertainment, for example—so that the admirable Mr Robin Lustig might find himself competing for funds with the equally admirable Mr Bruce Forsyth?

Richard Ottaway: My right hon. and learned Friend is absolutely right. It is a key recommendation of our report that the future governance relationship between the BBC World Service and the Foreign Office is not defined clearly enough in the concordat. Our concern is that we might be told, "You want an Arabic service and you want a Mandarin service, but we don't have enough funds for both, so you need to decide which one". To be fair to the Foreign Office, it has taken that point into account in its reply. I am pleased that it is still looking at the issue.

The central recommendation of the report was that the decision to reduce spending on the World Service by 16% should be reversed, but that if the funding has to be reduced, it should be done in such a way as to minimise the damage. A wide range of services will either be closed altogether or have a reduced output. I have no quarrel with some of the planned changes. For example, radio audiences in Vietnam have fallen to 1% and it has only about 110,000 listeners. In the meantime, Vietnam is seeing an internet boom with some 400,000 users now accessing the World Service online. The decision to focus on online services is obvious and sensible. None the less, we highlight plans to cut three services, which we think should be reviewed: the Mandarin, the Hindi and the Arabic services. It is doubtful whether their reduced output is in the nation's interest.

Keith Vaz (Leicester East) (Lab): I join others in congratulating the hon. Gentleman on his leadership role and his Select Committee on its excellent report. On the Hindi service, does he share my concern to the extent that the Government have made it clear, from last year's Queen's Speech to this week's statement by the Foreign Secretary, that India is a priority? We are sending more diplomats to India in order to improve our relationship with that very important country, so will cutting the Hindi service not send out the wrong message to a country with which we really want to do business?

Mr Deputy Speaker (Mr Lindsay Hoyle): We must have shorter interventions, as we are rapidly running out of time.

Richard Ottaway: The right hon. Gentleman is right that India is of huge strategic importance to the United Kingdom. It is a rising power and a stated foreign policy priority. The World Service audience in India is some 11 million, which beats "EastEnders" any day. The estimated cost of reaching that audience is only £680,000 a year, which the producer of "EastEnders" would probably die for. I am not convinced, and I hope the House is not convinced, that losing that huge audience to save a bit over £0.5 million is worth it—and I am pleased that the Government agree in their reply to our report.

Mike Gapes (Ilford South) (Lab/Co-op): I accept that the Government say they are prepared to bring in some temporary measures whereby the World Service will provide limited hours in the Hindi service for a temporary period, but does the hon. Gentleman agree that the real solution is not temporary measures, but recognition that losing an audience of 10 million in India and a total loss of nearly 20 million to the World Service audience will reduce its share of the global audience so that it will no longer be the premier broadcaster internationally?

Richard Ottaway: I thank the hon. Gentleman for his work in the Select Committee in preparing the report. He makes exactly the point I am about to make. I hope that the Government will accept the motion—I have reason to believe that they may well do—and when they conduct the review, the hon. Gentleman's point is exactly the one they should be looking at.

I shall move on from India to China. BBC China has been struggling with the jamming of shortwave radio signals by the Chinese authorities for more than a decade. As a result, its impact has been lost. Despite that, witnesses told us that they continued to hold the service in high regard. Sometimes it may be jammed in cities, but not in rural areas. After the Szechuan earthquake of 2008, the local community tuned in to BBC shortwave so that they could find out what was happening with the relief efforts. Chinese listeners tuned in to the Nobel peace prize ceremony, which the media was banned from reporting.

In response, the World Service is refocusing its online provision to China. However, let me express a word of caution about the move to online services. Internet services can be turned off at any time by totalitarian regimes. A good example was seen in Egypt during the Arab uprising when some 80 internet providers were cut off overnight. The Chinese Government have published a strategy paper asserting their rights to censor the internet inside their own borders.

It is the cuts to the Arabic services that have caused the greatest concern. No embarrassment should attach to the World Service or the Government over this decision, which was made last December before the Arab uprisings in January of this year. The value of BBC Arabic services is highlighted by photographs—colleagues may have seen them—of protesters on the streets of Syria carrying placards saying "Thank you, BBC". Across north Africa, only two radio stations are listened to: al-Jazeera and the World Service. I mean no disrespect to al-Jazeera, but in my judgement, the far more independent and therefore respected service is the World Service.

This is a region that requires quality journalism and news coverage. The Foreign Office has responded to recent events in the Arab world by diverting considerable resources to the region. It has expressed its surprise over the reduction in World Service output—I hope that surprise will work its way into its review—and I welcome the fact that the Foreign Office is in discussion with the World Service to review the situation. What is needed, however, is a full reversal of the proposed cuts.

Let me deal with funding. Since its inauguration, the World Service has been funded by the Foreign Office. This will end in 2014 when responsibility will be transferred to the BBC. During the intervening four years, the budget is to be reduced from £241 million to £212 million a year. Taking into account inflation, that is a 16% real-terms cut. Last autumn's spending review announced that the overall FCO budget would fall by 24%. However, a closer look shows that, once the World Service and the British Council are taken out of the equation, the actual cut in the Foreign Office budget is a shade under 10%.

In my judgement and in the opinion of the Select Committee, a 16% cut in the World Service budget, compared with 10% in the Foreign Office budget, is disproportionate. I sympathise with the director of the World Service who argued that the service had to some extent been singled out. In his defence, the Foreign Secretary told us that he did not regard the cuts to the

[Richard Ottaway]

World Service as being disproportionate. He argues that the World Service proportion of the FCO overall budget had been kept at its 2007-08 level through to 2013-14.

There seems to be some disagreement over the figures. The World Service tells us that, using the FCO's baseline of 2007-08, when the World Service had 16% of the budget, it does not keep the same proportion, but declines to 15.6% in 2013-14. That 0.4% difference might not sound much, but it amounts to £6.6 million a year of the World Service budget, which would be enough to save a number of services.

In response, the Government say that they "do not recognise" the World Service calculations. So, in an effort to explain the difference and resolve the dispute between the World Service and the Foreign Office, I dug into the figures. I discovered that they were produced by the House of Commons Library. On digging a bit further, I found that the Library stands by the figures as they are based on the FCO's own resource accounts and letters to the Committee from the Foreign Secretary and the permanent secretary. Quite how the FCO can say that it does not recognise the World Service figures is a bit of a mystery. Perhaps the Minister will explain the figures further in his reply.

Those are the problems. What are the solutions? I am advised that the additional funds required to retain the Mandarin, Hindi and Arabic services, about which the Foreign Affairs Committee expressed concern, amount to between £3 million and £4 million per annum, which is less than the discrepancy between the World Service figures and those of the Foreign Office. The Committee does not believe that there should be any cuts at all, but believes that if there are to be some cuts it would not be a stupid decision to focus on a small number of priority services, to allocate a relative pinprick in terms of public expenditure, and to reverse the decisions on Mandarin, Hindi and Arabic using the unallocated £6.6 million.

Many Members, and witnesses from outside the House, have suggested that the huge and growing DFID budget could be used to make up the shortfall in the World Service budget. That course is subject to two constraints. First, although it might have been permissible before the International Development Act 2002 came into effect, the Act states that any funding by DFID should be used for the reduction of poverty. Secondly, DFID funding must comply with OECD guidelines to become official development assistance. Therein lies the problem. There is a limit to exactly how much a broadcaster's output can be described as official development assistance or as reducing poverty, and I understand that that limit has been reached.

Others have suggested that a way around the problem would be to slice a few million quid off the DFID budget and give the money to the Foreign Office for onward transmission to the World Service. That suggestion runs into the difficulty of meeting the United Nations target that 0.7% of GDP should be spent on international development. However, the House will welcome an announcement by the Secretary of State for International Development, who, following discussions between us, wrote to me on 13 May stating that he intended to make a grant to the World Service Trust and put his Department's relationship with the trust on a more strategic basis. The trust is the charitable arm of the World Service, focusing on development. He believes that he can significantly expand its operations, increasing development outcomes and poverty reduction. That is an extremely helpful development. I congratulate the Secretary of State and his colleagues in the Department and thank him for his personal involvement, and I hope that the Foreign Office will be equally responsive.

Following the tabling and publishing of the motion last week the Government published a fairly emphatic rejection of our report, and it is with some surprise that I now learn that they intend to accept the motion, which calls on them to review the decision to cut the service by 16%. Several key Select Committee Chairmen, a former Foreign Secretary and other senior Members of Parliament support the motion because of the widespread concerns that I have raised.

In its report on the BBC, which was published today, the Culture, Media and Sport Committee strongly endorses the Foreign Affairs Committee's report, which means that two Select Committee reports have unanimously expressed concern. I must tell the Minister that it would be a mistake to undertake a review and then to take no further action. If that does happen, the FAC will return to the subject.

The World Service is important. It is a national asset and a jewel in the crown, and it has an unrivalled reputation throughout the world. It is no surprise that Kofi Annan described it as

> "perhaps Britain's greatest gift to the world".

In those circumstances, I urge the House to support the motion.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I must be honest with Members. We have very little time. I am sorry, but I must introduce a speaking time limit of eight minutes.

2.4 pm

Mike Gapes (Ilford South) (Lab/Co-op): I will try to be brief, Mr Deputy Speaker.

It is a pleasure to follow the Chairman of the Foreign Affairs Committee, the hon. Member for Croydon South (Richard Ottaway), who introduced our report so ably. Let me underline what he said at the end of his speech. If the Government allow the motion to be passed this afternoon but prove to have had no intention of taking its wording seriously, the House will definitely revisit the issue—and in a different mood from the one it has adopted today.

I believe that there is virtual unanimity in this country about the importance of the BBC World Service. Where do people who live in totalitarian and authoritarian regimes and have no access to free media obtain the truth? If they mentioned two or three sources, one of them would be the BBC. The BBC provides the best possible image for this country, and I think it was very foolish of the Government to present proposals that would lead to reductions in the services of the World Service and in its audience share.

Reference has already been made to cuts in language services. Perhaps the Minister will clarify something that is puzzling me. The tone of the response to our report from the Foreign and Commonwealth Office implies some lack of convergence and consensus with the BBC World Service and its management in regard to facts and interpretation. It appears from the wording of the report and the responses to it that there is some tension and frustration within the FCO about some of the things that we have said and been told.

Let me ask a specific question. When the World Service was told that it must reduce its budget significantly—I understand that at one point it proposed to close up to 13 language services—what was the Government's response? Is it true that they said that that was far too large a number and that a smaller number must be reduced, but with disproportionate cuts in those services? We now have the absurd situation of a 10 million loss of audience in India. We also have the absurd difficulties with BBC Arabic to which the Chairman of the Committee referred.

In recent years the World Service has introduced an Arabic television service, which is very popular, and a Persian television service, which is extremely popular and very important in a country that is as important to us as Iran. It has also developed a number of digital and online services, which cost much more than the radio services that are being slashed as a result of these disproportionate cuts. Both the present Government and their predecessor are committed to recognising the importance of those Arabic and Persian television services and the potential establishment of an Urdu television service, which we have discussed with Ministers in this and the last Government, and which might have a significant impact on a country as important to us as Pakistan. Is it not part of the wielding of our "soft power" and our promotion of this country's values—is it not in our national interests?—not to cut the World Service's radio services in order to finance that expansion, but to recognise that the World Service is a vital priority for British policy projection?

I am not arguing that the World Service should simply do what the Government want; one of its great benefits is its independence. However, I fear that we have created what is potentially the worst of both worlds. We are drastically reducing the World Service's footprint globally. As the right hon. and learned Member for North East Fife (Sir Menzies Campbell) made clear in his intervention, in three or four years' time one tabloid newspaper or another will ask why, for instance, we should be financing languages in Africa that no one in this country understands, rather than paying to have the best "X Factor"-style television programme—or some other style of programme—that is under threat.

In one of our Committee's final recommendations, we expressed deep concern about whether the BBC World Service could rely on the BBC as a whole to protect it under the new arrangements. One of the consequences of the Foreign and Commonwealth Office's relationship with the World Service is that there has been parliamentary accountability and scrutiny of the World Service. I was serving on the Foreign Affairs Committee in the 1990s when attempts were made under the John Birt regime to get the World Service under the control of the BBC. Those proposals were dropped because Parliament was not happy about the possibility of the values and ethos of the World Service being undermined, and I do not believe that we have the necessary assurances in place now on preserving the ethos and values of the World Service under the future arrangements.

I hope the House resoundingly supports this very important motion. The fact that it has broad support is a great tribute to the Chairman of our Committee—and to the other Select Committee Chairs who have put their names to it, as well as the rest of us who are signatories. The Government must listen and introduce a speedy review—not a review that will take a long time so that the cuts the World Service will have to introduce are irreversible. We must have a swift review with fast results, and we must assert that the World Service is the jewel in the crown and will remain so.

2.12 pm

Mr Robert Syms (Poole) (Con): I support the motion. The Foreign Affairs Committee has produced a good report. The Chairman's arguments were right and were pitched extremely well. It is clear from all the information produced, especially the written documentation the Committee received, that many people hold the World Service in very high esteem, and I therefore think we would be foolish hastily to proceed in the direction in which we seem to be going. Even if we accept that there might be a degree of bleeding stumps in some of the worst case scenarios, it is time for the Government to reconsider this issue before any lasting damage is done.

Consideration of the comprehensive spending review and the licence fee negotiations were concluded fairly quickly and without a vast amount of consultation, yet the implications for the World Service are very substantial indeed. Therefore, if there is a right time to pause so that we can carefully consider how to proceed, that time is now.

The issue of soft power and the flow of information around the world has already been mentioned, and it is of great importance for this country's influence globally. Any of us who travel abroad appreciate that there is a great appetite for information from the BBC, as well as enthusiasm for British Council centres, and even British newspapers and the rest of our media. It is important that information flows, but the specialised analysis of that information by British journalists and foreign journalists working for the World Service is also important. We have witnessed upheaval, revolution and the fog of war, and reference has been made to the Facebook revolution. Often the analysis of experienced journalists is needed to decipher what is actually happening and to impart an accurate view to the world.

I heard a discussion on, I think, Radio 4 between two history professors, one of whom said, "If we look back into history and substitute the word "crowd" for "mob", we can totally change the way in which people view events." Journalists who work for the World Service must be allowed to get on with the job and give their best analysis of what is happening so that people who do not share our privilege of living in a free society can receive that information.

Rehman Chishti (Gillingham and Rainham) (Con): My hon. Friend rightly talks about the importance of such experienced journalists, and another advantage of the World Service is its independence and impartiality, which is crucial for empowering people to seek democracy in highly regulated states.

Mr Syms: Yes, and we could not buy that. As the Chairman of the Select Committee has said, where the BBC withdraws a service another organisation will fill that vacuum, perhaps with a less good service, and probably with a less accurate one.

Looking back at the events in my lifetime, it is clear that the flow of information and the use of technology can change worldwide events. One factor in the overthrow of the Shah of Iran was the fact that he modernised his telephone system so that plugs could not be pulled out, which allowed the Ayatollah to phone through the digital system and give instructions to his followers. The flow of information from western television channels telling people in East Germany that they could get out to the west through a neighbouring country led to the great events that resulted in the Berlin wall being torn down. It is also clear from what is happening in parts of north Africa and the rest of the world now that information is a vital commodity.

The investment over decades in the Reithian tradition of striving for truth is very important, and we should bear in mind the sums involved here. I think the figure for the Hindi service is £680,000, and that is very small in the grand scale of things. We therefore must pause to reflect, and it would be a good idea if thought was given to addressing the issue of the Department for International Development budget. Aid is one answer to the world's problems, but good governance and truth is another. We can greatly improve the manner in which the developing and third world is governed by getting more truth and information into countries and getting much more openness, transparency and democracy. The World Service can, of course, play a role in that.

I therefore hope the Government will listen. I hope they reflect on this excellent Select Committee report, and that we do not, as it were, throw the baby out with the bath water and for the sake of a small sum of money lose the ability to project truth, honesty and transparency to the world, which is so valued by people who live abroad and do not share our advantages.

2.17 pm

Martin Horwood (Cheltenham) (LD): The Liberal Democrats welcome the debate and strongly support the motion. The Select Committee Chairman set out very well the terms of the debate and the contrast between soft and hard power. Hard power in military terms is certainly often appropriate, as in the cases of Libya and Afghanistan, but it is an expression of British power overseas that is often fraught with military, political and financial difficulties. Even in the gentler realm of diplomacy, we are rightly reviewing our diplomatic presence around the world—and, it is to be hoped, expanding it in many cases in light of a changing world—while also having to pay attention to the financial context at home.

Soft power and expressions such as "the BBC World Service" are extraordinarily cost-effective. They reach billions of people and are enormously positive with very few complications, including many of the negative complications of other expressions of British interest around the world. The World Service in particular has attracted extraordinary plaudits from the likes of Kofi Annan and even Nelson Mandela. It has been refreshing in recent months to see placards on the streets of Muslim countries calling not for death to Britain or anything like that but thanking the BBC. They are talking about the BBC World Service, of course. In that context, it is extraordinary that we are facing the prospect of cuts to the Arabic service in particular. So, it is right that Ministers should be reconsidering the matter.

The current funding relationship is somewhat uncomfortable. The Select Committee is cautious about the eventual transfer of World Service funding to the BBC and rightly says that safeguards should be

> "put in place to prevent any risk of long-term erosion of the World Service's funding and of Parliament's right to oversee its work."

The intervention by my right hon. and learned Friend the Member for North East Fife (Sir Menzies Campbell) was also well made. Provided that those safeguards can be put in place—the Select Committee suggested a formal concordat with the BBC Trust—there is one advantage to the transfer of funding, which is that it underlines the independence of the BBC World Service from political decisions about both funding and editorial content. That is an important reassurance for World Service listeners worldwide.

In the meantime, we have something of a problem in the period leading up to 2014. I welcome the Committee's call for funding arrangements to be re-examined. We are happy to support it and I am glad that the Government are accepting the motion. I appreciate, however, that this is not as easy as it first looks. I understand, like others, that Ministers have thought about this very carefully and are aware of the issues involved. I am certainly very grateful for the time that Ministers and their advisers from both DFID and the FCO have spent answering my questions on this subject, as well as those of my right hon. and hon. Friends in this Chamber and in another place.

I particularly welcome the Secretary of State for International Development's announcement about the prospect of a significant grant to the BBC World Service Trust. Many development issues can be addressed in World Service programming, from gender awareness, to global responsibilities for climate change, adaptation to it and how people can prepare for it, to health awareness, particularly about matters such as the HIV epidemic.

There are limitations, however. It is right that DFID's funding should be restricted to matters that qualify as official development assistance and not all broadcasting can come within that remit. It would set a bad precedent if DFID was asked to fund areas that did not qualify as ODA under OECD rules and we would not want that precedent to be set. Nor would we want World Service programming to be skewed completely in the direction of development programming. The provision of information and a British perspective on world events is very important in many countries. The Hindi and Mandarin services spring to mind and the priority in those cases is not development but our economic, diplomatic, political and cultural presence, which is vital.

The BBC should have to examine its costs, its overheads and its back-up costs just like any other public spending. It is quite right that it should try to do that and if the hon. Member for Ilford South (Mike Gapes) is correct, there has clearly already been an iterative process between Ministers and the BBC on the exact nature and extent of these cuts and their impact on particular broadcast services. Even if that is true, following that iterative process we are still facing cuts in such vital services as

Arabic, Hindi and Mandarin, so it is clear that we must reconsider the transitional arrangements between now and 2014. We should consider how we can protect those key services.

In the great scheme of things, the amounts of money involved are not huge. As has been pointed out by the Select Committee, they are a relatively small proportion of the increases in DFID's budget. Even within wider Government and FCO spending, we are not talking about large amounts of money. As I said at the outset, the cost-effectiveness of the programming and influence of the World Service and the respect that it earns this country are of almost incalculable value. I urge Ministers enthusiastically to accept the motion and do whatever they can to protect this jewel in the crown of British broadcasting.

2.24 pm

Jeremy Lefroy (Stafford) (Con): I congratulate the Foreign Affairs Committee on its excellent report and I rise to speak in favour of the motion. I pay tribute to the excellent speeches of the Chairman of the Committee and other Members.

For 11 years, when I lived in Tanzania, the World Service was my main source of news. I learned of progress in the first Gulf war, the Bosnian conflict, the Rwandan genocide and two general elections from the BBC World Service. I valued its impartial, measured news and comment as a service for expatriates such as me, but more importantly it was the main source of information for many of my Tanzanian colleagues. I remember meeting one of them the day after the 1997 general election, which he had been following very closely on the BBC. He was amazed and impressed at how quickly we had changed our Government in this country, and he was even more impressed that the outgoing Prime Minister went to watch a game of cricket rather than finding himself on the wrong side of a jail door, having been locked up by the new Government. It is at such times that we realise that the World Service is indeed a gift to the world, as has been said. However, it is more than that. It is also important in presenting Britain and British values to the world. At a time when our political and economic future is bound up ever more closely with the developing world, where much of the World Service output is broadcast, its importance is growing, but it is also at this time that we are proposing to make cuts to that valuable service.

I want to distinguish between the financial cuts and the cuts to the service itself. I understand that the Foreign and Commonwealth Office cannot be exempt from the cuts being made elsewhere in government, and I understand that the World Service has to be part of that, but I believe that the cuts to the grant could be mitigated, if not entirely made up, in four ways. First, the Foreign and Commonwealth Office could revisit the cuts it is making. As has been said, we are talking about cuts of 16% compared with cuts of 10% across the rest of the FCO. Secondly, commercial activity could be expanded. World News TV is funded commercially; indeed, I understand that it made a profit last year.

Thirdly, as has been touched on, there could be greater use of development funding. As has been pointed out, if spending is to qualify, it must be undertaken by the official sector and it must have as its main objective the promotion of economic development and welfare and be made at concessional financial terms. Those are the rules that the OECD insists on for something to qualify as official development assistance. In this country, we go further because we make it quite clear that such spending must also be for the reduction of poverty. I still think, however, that we could look further at that approach. The media, and particularly the World Service, play a vital role in development in three ways—as a watchdog, in setting the agenda and by providing information that is necessary for development.

The BBC World Service helps Governments to develop policies that benefit the majority of their population and it is not driven by sectional or ethnic interest. There has been analysis of how World Service spending might be classified as ODA, and I accept that this is one of those issues that one might say is about as long as a piece of string, but I have seen analysis showing that up to 40% of spending—something like £100 million out of the total spending of £250 million, including capital—could be classified as ODA. I therefore welcome the Secretary of State's letter to the Chairman of the Foreign Affairs Committee in which he stated that he would be prepared to support the relationship between the Department for International Development and the World Service Trust and that he would, in principle, be prepared to support it with an accountable grant.

Finally, the cuts could be mitigated through better use of BBC World's own resources, perhaps by looking at some of the salaries at the higher end of the organisation.

On the cuts to the service itself, the Foreign Affairs Committee has rightly spoken about the Hindi service, BBC China and BBC Arabic, but I would like to draw attention to the Kiswahili, Kinyarwanda and Kirundi services, in which I have a special interest from my time in east Africa. Those short-wave and medium-wave services are accessible to people who cannot access pretty much any other services save those provided by their own broadcasting corporations. Those people are in remote areas, whereas internet and FM services tend to be available to people in urban areas. It is part of this Government's policy to reach people, such as those in smallholder agriculture, for whom a service provided on short wave by the BBC might be the only such service that they can receive at certain times that is relevant to them. I therefore urge the Foreign Office to look in particular at such services.

In conclusion, the BBC World Service is a huge asset to the United Kingdom, but it is also of tremendous importance to tens of millions across the world. Where the BBC withdraws, as has been said, other less independent organisations will step in. Therefore, I support the motion.

2.30 pm

Mr Wayne David (Caerphilly) (Lab): We have had a short but truly excellent debate this afternoon. The hon. Member for Croydon South (Richard Ottaway) began the debate by speaking powerfully as Chair of the Foreign Affairs Committee. He reinforced and explained extremely well the main conclusions of his Committee's report, which is first rate. He summarised the main concerns that Members have expressed today and in previous discussions and interventions in the House. He has put a significant question mark over the Foreign and Commonwealth Office's financial calculations regarding the World Service.

[Mr Wayne David]

We then heard a contribution from my hon. Friend the Member for Ilford South (Mike Gapes), who reiterated what the Chair of his Committee had said and stressed the fact that the World Service is seen as a jewel in the crown. We heard from the hon. Member for Poole (Mr Syms), who gave a number of practical examples of how the dissemination of objective information can help the development of democracy in a truly practical way. Similarly, we heard from the hon. Member for Cheltenham (Martin Horwood), who reinforced the case put by other Members and made it clear where his party stood on the matter. Finally, we heard from the hon. Member for Stafford (Jeremy Lefroy), who spoke with great insight about the importance of the World Service and referred to his experience in east Africa. It is only by understanding such concrete examples that we can really appreciate the value of the World Service.

As well as expressing concern about the short wave BBC China Mandarin service, which broadcasts in a country where democracy is in short supply, I would like to focus briefly on two areas. First, it was initially announced that the BBC Hindi short wave service was to close in March 2011. However, the Government announced a partial reprieve in March with the continuation of an hour of current affairs broadcasting, pending commercial funding being found. This concerns me greatly. We all know that India has enormous economic potential, and the Government are rightly strengthening their bilateral relations with that country. It is all the more worrying, I suggest, that the sword of Damocles still hangs over the BBC Hindi short wave service. That should not be the case.

The other huge concern I have relates to BBC Arabic. The events in north Africa and the middle east over the past few months have been truly momentous, and the process of change continues apace. It is therefore extremely worrying that the World Service has announced 60 job losses in its Arabic service. Surely the World Service should, if anything, be providing more resources to BBC Arabic, rather than less. I fully appreciate that many of the plans were drawn up before the incredible events of the past few months, but that is all the more reason for the Government to accept that reality and revisit the whole programme.

In addition to these concerns, I would like to give an example of how the World Service impacts in a positive way on one country in particular. Earlier this week I was in Serbia. I was there with the Labour party and the Westminster Foundation for Democracy. I undertook the political reconnaissance as part of an ongoing assessment of how democratic debate in that country can best be assisted. Serbia has made good progress over the past few years, but there is still much to be done. One of the crucial elements that has helped Serbia's march to democracy, as a number of people made very clear to me, is the BBC World Service. It is no exaggeration to say that there is not a single democrat in Serbia who does not acknowledge the important role of the World Service. Equally, there is universal disappointment that Serbia is one of those countries that will lose World Service coverage.

One of the people I spoke to earlier this week was Sasa Mirkovic, the managing director of the radio and television company B92. He explained to me how the World Service has been a source of objective information, inspiration and hope to a whole generation in Serbia, and he deeply regretted the end of its broadcasting in Serbia, because, as he said to me, democracy in that country needs to be encouraged and continually reinforced.

What is true of Serbia is true of many other parts of the world. The Opposition have very real concerns about the Government's plans, and this afternoon Members have underlined the conclusions of the Foreign Affairs Committee's excellent report. As well as the loss of crucial influence in key countries and regions throughout the world, the cuts will mean a diminution in Britain's global influence. There will be a drop of 30 million people—from 180 million to 150 million—in the service's global audience, and such a cut is quite unprecedented.

There has to be an ongoing assessment of how finite resources can be best used, but such a reduction in grant-in-aid will greatly undermine the service and send a negative message around the globe—that Britain no longer sees high quality, objective and honest reporting as being particularly important. I hope that nothing is further from the truth.

In the order of things, the BBC World Service is a mere drop in the ocean of public expenditure, but the money invested in the service is a sound investment—an investment that effectively promotes the universal values of which all Members are justifiably proud.

I therefore ask the Government to think again, to take heed of what our friends throughout the world are saying to us, to recognise the worth of the World Service and not to engage in this false economy. I urge the Government to accept the motion before us, and, if they are inclined to accept it and agree to a review, I suggest that that review takes place as quickly as possible, and as a matter of urgency.

2.37 pm

The Minister for Europe (Mr David Lidington): I thank my hon. Friend the Member for Croydon South (Richard Ottaway) for introducing the debate, and for doing so in a characteristically courteous and thoughtful fashion; and I pay tribute to all members of the Foreign Affairs Committee for a comprehensive report on what all Members, whether in government or not, agree is a matter of great public significance and of significance to how we advance the interests of the United Kingdom.

My right hon. Friend the Foreign Secretary has said frequently in opposition and in government that he sees the World Service as, to use the words of my hon. Friend, a key element of British soft power. My right hon. Friend has also underlined frequently the central importance of the World Service and the British Council in giving this country an unrivalled platform from which to project our culture and to share our values.

The Government and, in particular, my right hon. Friend will clearly want to reflect carefully on what has been said during this debate, but I make it clear that there cannot be any avoidance of difficult financial decisions and hard choices for the Foreign Office or for the World Service, as for any part of the public sector. I hope that when I have concluded my speech hon. Members will recognise that the Government are committed to finding ways—within the terms of the existing settlement announced in October last year, and in discussions about possible additional sources of World Service revenue—in which the current and potential resources available to the World Service can be used to the greatest possible advantage. My hon. Friend the Member for Stafford (Jeremy Lefroy), in particular, listed a number ways in which that might be possible.

Rehman Chishti: Can the Minister confirm that in 2010 the chief executive of the BBC World Service earned £215,000 and five of his colleagues earned more than £200,000? Does he agree that chief executives and other senior officials should have had their salaries frozen or taken a reduction instead of cutting front-line services?

Mr Lidington: My hon. Friend makes an important point. I am not somebody who usually harps on about high salaries for people who hold important positions of responsibility, but it is fair to acknowledge that the BBC World Service board is responsible for a significantly smaller operation with a smaller budget than the Foreign and Commonwealth Office, and yet the World Service's board is more numerous and significantly more expensive than the board that runs the FCO. I do not want to make too much of that, but my hon. Friend makes an emblematic point that I will come to later.

I am not trying to deny that hard choices are having to be made, but there is a need to say to the World Service, as to every other part of the public sector, that it needs to look rigorously at how to make finite budgets go further and try to reduce all unnecessary costs.

Mel Stride (Central Devon) (Con): Does my right hon. Friend believe that the BBC World Service is doing enough to amortise the costs of news gathering and production among other services, including within the BBC family, before looking at a reduction in language services?

Mr Lidington: One of the challenges that the World Service management faces is to draw up what I hope will be very ambitious and detailed plans to deliver a reduction in administrative and other inessential costs that match commitments of the sort that Government Departments throughout Whitehall, including the FCO, are already having to make. The BBC World Service has announced that it is committed to a significant reduction. We have not seen details of that, nor are we entitled to do so. It is an independent organisation, quite properly so, although the National Audit Office and the Public Accounts Committee are of course free to investigate further.

I hope that the World Service will choose to make those plans public and will look to take advantage of the opportunities that will arise from the new arrangements for the relationship between the World Service and the BBC as a whole to merge and share costs where possible. For example, arrangements to combine studios for the World Service and other parts of the BBC would seem to be a sensible way forward. Indeed, the BBC has indicated that it is considering that in the context of the new arrangements.

Mike Gapes: Is the Minister aware that the BBC World Service spends proportionately less on human resources, finance and IT than the FCO? Is he also aware that there has been a reduction of about 32% in the management costs of the World Service since 2009?

Mr Lidington: The hon. Gentleman, perhaps uncharacteristically, is choosing to overlook the fact that the FCO is responsible for well over 100 operations in different countries overseas and that in those circumstances the requirements of currency operations and IT add up to quite a considerable overhead. I welcome the public commitment of the World Service to a significant reduction in its administrative costs, and I am sure that the House looks forward to seeing how it proposes to deliver that.

Mr David *rose—*

Mr Lidington: I will give way to the hon. Gentleman, and then I will make progress, because I want to be fair to the many hon. Members who want to take part in the next debate.

Mr David: I hear what the Minister says, and of course we all want to see efficiency savings and economies. However, it is important to bear in mind that the cost of producing a message or sending out a programme is lower in the BBC World Service than in any other international broadcaster.

Mr Lidington: It is certainly important to bear such things in mind, but many parts of the public sector in this country can point to how their best practice matches that in other parts of the world. Nevertheless, the financial state in which this country finds itself as a consequence of the inheritance bequeathed to us by the Government of whom the hon. Gentleman was a member is so grave that we have no alternative but to ask every part of our public services, no matter how well and efficiently they perform, to drive those efficiencies further.

My hon. Friend the Member for Croydon South, and indeed the report, criticised the Government's decision to reduce the budget of the World Service by 16% and argued that it was disproportionate. To set the matter in context, as the House knows the Government inherited a massive fiscal deficit when they came to power. We made it clear from the start that it would be the Government's overriding priority to take swift and effective action to reduce that deficit. Every member of the Government has always made it clear that rebalancing the nation's finances will not be without pain and that every taxpayer-funded organisations will have to play its part, as will the private sector. Frankly, if as a country we fail to deal with the overriding challenge of our deficit, all our hopes, whether for prosperity, improved public services or enhanced international influence for the United Kingdom, will come to naught.

The World Service was asked to reduce its budget by 16%. The Foreign Affairs Committee has argued that that is disproportionate. I say candidly, but politely, to my hon. Friend that I disagree with that verdict. At the beginning of the previous comprehensive spending round in 2007-08, the World Service budget was 13% of the Foreign and Commonwealth Office budget. By the end of 2014-15, its budget will be 14.4% of the FCO budget. The proportion of its budget at the end of this Government's tenure will therefore be slightly higher than it was before. To respond to the particular case put

[Mr Lidington]

to me by my hon. Friend, in 2007-08 the World Service received £222 million, and in 2013-14 it will again receive £222 million. However, the FCO budget will fall from £1.7 billion in 2007-08 to £1.55 billion in 2013-14. It is those figures that lie behind the percentages that I quoted.

Richard Ottaway: Is the Minister including the costs of conflict prevention in his figures?

Mr Lidington: I will take advice on that point and come back to my hon. Friend either later in the debate or in writing.

It is also fair to point out that the FCO has been more severely affected by the impact of foreign exchange losses than has the World Service. From 2007 to 2011, the loss of the mechanism that protected the FCO against foreign exchange risk accounted for a 17% loss to the FCO core budget, but only a 2% loss to the BBC World Service core budget. That discrepancy is explained by the fact that a much greater proportion of the FCO's diplomatic effort is located overseas than is the case with the BBC World Service.

The Foreign Affairs Committee has made its case, and I hope that I have provided figures that back up the evidence my right hon. Friend the Secretary of State gave and that support our contention that although the settlement is indeed tough, it is fair when set alongside what has happened to the core FCO budget over the past few years.

The World Service undoubtedly provides a valuable service, but that is true of many other public bodies. The police, the military and the education system have all had to make savings, and so have the British Council and UK Trade & Investment. Some of those organisations have suffered cuts considerably larger than 16%. I am happy to stand at the Dispatch Box and say that all those institutions are vital assets of the UK. We do not take pleasure in what we have had to do, but the measures that we have taken are essential for the future well-being of our country. Much as I dislike having to support cuts to the budget of the BBC World Service, we cannot in good conscience say that we support cuts in general but resist all of them in particular.

Members will have heard the announcement by my right hon. Friend the Foreign Secretary on 11 May, in which he set out plans for the future of the Foreign Office's diplomatic network. We will find £100 million a year in savings from our administration budgets, yet at the same time we are both widening and deepening our diplomatic network. We are opening more posts and strengthening existing ones in emerging economies of key importance to this country. The savings that we are having to find to finance that expansion are not easy, but they are essential if we are to develop within tough financial constraints.

When I go to British embassies overseas, I am left in no doubt about the seriousness of the choices that Ministers have to make. I regularly have meetings with our staff at our posts throughout Europe and the former Soviet Union, and at practically every meeting I meet staff who are worried about their jobs, some of whom have worked loyally for the FCO for a large number of years. The FCO is not immune from difficult decisions, and there is no pain-free way to make the choices necessary to provide a strong voice for Britain in the world. I do not think the World Service can be exempt from the need to make difficult choices.

The World Service originally approached the Foreign Secretary for authority to close 13 of its 31 language services—even more closures than were authorised by the Government of whom the hon. Member for Caerphilly (Mr David) was a member. When I heard him denounce the policies of the current Government, I worried about the selective amnesia that had come over him about his Government's record on the World Service.

My right hon. Friend the Foreign Secretary was not prepared to support those suggested closures, and after frank discussion with the World Service and the BBC Trust he reluctantly agreed to the closure of five services. That was after he had received clear assurances that the closures would not cause major damage to the World Service's overall services and audience share. The World Service also assured us that it would make strenuous efforts to find efficiency savings and drive down non-editorial costs to protect its front line. It has said that it will find savings of up to a third in finance, human resources, business development, strategy, marketing and other administrative operations.

I hope that the World Service will match that commitment with detailed plans, and that it will match the greater transparency of financial arrangements that the Government have undertaken to provide. The BBC is not obliged to do that under the current arrangements, but it would add to public confidence in the organisation, including the World Service, if it endorsed greater transparency so that taxpayers and licence fee payers could see where their money was being spent.

There are other changes in how World Service output is delivered, such as the closure of radio transmissions in Mandarin or the cessation of the Hindi shortwave service. Ministers have no power to veto such decisions. Some access to the World Service in those languages will remain, whether online or through FM or television, but those choices fall squarely within the responsibility of the World Service—the Government were not consulted in detail on those changes and we had no locus to intervene. The BBC believes that those decisions were soundly based, and we have seen its justification for those changes.

As a number of hon. Members mentioned, given recent events in the middle east and north Africa, the FCO chose to reprioritise in order to bolster our effort there. It is entirely sensible for the World Service to do likewise. However, even before the Arab spring, the decision to curtail Arabic broadcasting was somewhat surprising.

On potential sources of additional money for the World Service, first, there is the prospect of commercial income. We agreed with the World Service that it would increase its sources of commercial income, with an initial target of £3 million. It is important for it to adopt an entrepreneurial approach to developing that source of income.

Secondly, on funding from the Department for International Development, my hon. Friend the Member for Croydon South quite fairly pointed out that there are two genuine hurdles to be surmounted, the first of which is meeting the OECD kitemark for measures that count as official development assistance. The OECD requires that any activity that qualifies as ODA must have the

"promotion of the economic development and welfare of developing countries as its main objective".

However, even if activity qualifies under OECD rules as ODA, it does not necessarily meet the second, stricter test, which is embodied in the International Development Act 2002. The Act gives the Secretary of State statutory authority to spend money when that allows for the relief of poverty—that is the prime measure. As my hon. Friend mentioned, my right hon. Friend the Secretary of State for International Development is looking at a new relationship with the World Service trust. In addition, the Government are approaching the OECD with a view to getting its agreement to classify a proportion of World Service spending as subject to ODA rules.

It is worth noting that the settlement included money to be used as the contribution of the World Service to the overall BBC pension deficit. The BBC says that its original estimate of that deficit has been revised down by about one third. We do not yet know the detailed figures for the World Service, but if, pro rata, it no longer needs a third of the money it has allocated for pensions—that would amount to about £4 million a year—it could choose to restore the five cut services and the Hindi service, or to restore the cuts to the Arabic, Hindi and Mandarin services that it previously announced.

Those choices are for the BBC. In a recent article in *Ariel*, the World Service controller of languages said that even if funding were reinstated, it would not necessarily restart services that it had stopped, but would instead look at new investment. Global shortwave audiences are falling dramatically—20 million listeners were lost from 2009-10 alone.

My right hon. and learned Friend the Member for North East Fife (Sir Menzies Campbell) and my hon. Friend the Member for Cheltenham (Martin Horwood) asked about the place of the World Service in the proposed new arrangements with the BBC, which will take effect from 2014-15. As I have already said, these provide opportunities for things such as the combination of news rooms and studios, and for different arms of the BBC to share costs, which might help World Service funds to go further. But it is also true that the BBC, through its new chairman and director-general, has made it clear that it places a high value on the World Service and sees it continuing as a key element of BBC output. The new governance arrangements will be guaranteed by an amendment to the BBC agreement between the Secretary of State for Culture, Olympics, Media and Sport and the BBC. We are discussing with the BBC Trust a formal exchange of letters to confirm this. The BBC Trust is also considering an international trustee to represent the interests of the World Service.

Even after the cuts, the World Service will still receive funding from the British taxpayer of £733 million over the next three years. The settlement that we came to with the World Service was challenging, and we take seriously the points that have been made by the Select Committee and in the Chamber today and will reflect further on them. We will work with the World Service to find ways in which it can continue to fulfil its mission as an independent broadcasting voice that is at the same time a key element in the promotion of British culture and values.

3.1 pm

Richard Ottaway: Time does not permit me to acknowledge in detail the speeches that have been made today. It has been a great debate, but the Minister must have felt a bit lonely. We have heard seven speeches today, six of which supported the thrust of the motion and the desperate need for a review of the service, and his own which was more defensive of the Government's position. The Minister is a good friend of mine, in both the personal and political senses, but he has not quite got the point that everyone has made today.

We all recognise the economic pressures on the Government—indeed, everyone who spoke is a member of a party that supports the need to address the desperate financial situation the country is in. However, it is a question of priorities. When the facts change, so must the policies. The circumstances in Libya have meant that more resources have been diverted to that country. The international tensions of worldwide terrorism have meant that more money has been put into the security services. The extra need for diplomacy around the world was behind the statement last week about extra funding for diplomacy. What colleagues are saying today is that, with the changing world we live in and the desperate need for more soft power—

Mr Lidington: Will my hon. Friend give way?

Richard Ottaway: I am afraid you would never forgive me if I gave way, Mr Deputy Speaker.

There is a desperate need to address the changing world and to take soft power more seriously. I appreciate the fact that my right hon. Friend has agreed to a review. I hope that it will be a constructive review and that this is not brushed under the table saying, "That's the House of Commons dealt with." The House is serious about this and I hope the Foreign Office will be as well.

Question put and agreed to.

Resolved,

That this House notes the Sixth Report from the Foreign Affairs Committee, The Implications of Cuts to the BBC World Service, HC 849; endorses the Committee's support for the World Service's invaluable work in providing a widely respected and trusted news service in combination with high-quality journalism to many countries; considers that the unfolding events in North Africa and the Middle East demonstrate the continuing importance of the soft power wielded through the World Service; believes that the value of the World Service far outweighs its relatively small cost; and invites the Government to review its decision to cut spending on the World Service by 16 per cent.

Rural Broadband and Mobile Coverage

3.3 pm

Rory Stewart (Penrith and The Border) (Con): I beg to move,

That this House recognises that rural businesses and rural communities across the UK are isolated and undermined by slow broadband and the lack of mobile voice and mobile broadband coverage; urges Ofcom to increase the coverage obligation attached to the 800MHz spectrum licence to 98 per cent.; and calls upon the Government to fulfil its commitment to build both the best superfast broadband network in Europe and provide everyone in the UK with a minimum of 2 Mbps by 2015.

I am grateful for the opportunity to move this motion, which also bears the names of 100 other Members of Parliament. When I last saw Ed Richards, the head of Ofcom, he said that the most powerful argument he required was a political argument. He wanted to hear that Members of Parliament cared about broadband and mobile coverage. If that is all he requires, I might as well resume my seat now. I am not an expert on the constitutional history of this House, but as far as I know there have not been so many names on a motion on the Order Paper for debate on the Floor of the House in recent memory.

I wish to thank very much everybody who has supported this motion. I wish to thank first my hon. Friends from Cumbria, on both sides of the House, as well as the many Members who have put so much energy into mobile broadband over the last three to five years. That includes my hon. Friends the Members for Skipton and Ripon (Julian Smith), for Suffolk Coastal (Dr Coffey) and for Hereford and South Herefordshire (Jesse Norman), and of course many Members from other parties. From the Liberal Democrats, we have had contributions from the hon. Members for Caithness, Sutherland and Easter Ross (John Thurso), for Cambridge (Dr Huppert) and for Chippenham (Duncan Hames)—to roll out the Cs—and from the Labour side, we have had support from the hon. Member for Dagenham and Rainham (Jon Cruddas), and the right hon. Members for Coventry North East (Mr Ainsworth) and for Leicester East (Keith Vaz). We have also had support from the Scottish National party and Plaid Cymru.

What, though, is the motion facing us today? It has three parts. The first focuses on rural need, which I hope Members will address in their speeches. The second focuses on mobile coverage, and the third focuses on the Government's commitment to super-fast broadband. All three are connected. In a sense, it is already outdated to separate them. It is increasingly clear that a separation between voice coverage and data coverage is a thing of the past; that an attempt to separate the rural areas from the urban areas is a thing of the past. The central fact about broadband and mobile coverage is that it is—not to be too pretentious—a single global universe. Nevertheless, I will hand over to other Members, who will talk about the first and third elements of the motion. I will focus exclusively on the second part—the mobile coverage obligation.

Enormous thanks are due not just to the many Members whom I have mentioned, but to the civil servants who have worked unbelievably hard in Broadband UK to make this happen. It is unfair to pick out names, but I would like, in particular, to thank Mike Kooley, Rob Sullivan and Jim Savage. I would also like to thank Ministers, including the Minister here today, the Secretary of State and all the communities that have been working so hard. I hope that others will develop that point, but again, although it is unfair to pick out names, I want to mention those extraordinary people in Eden—Libby Bateman, Miles Mandelson and others in the Leith-Lyvennet broadband group—who have been pushing ahead with their programme. However, that is not the subject of my speech today.

I am here to speak about mobile broadband coverage. I will take 30 seconds to explain the issue. This is the last chance for a generation to provide good mobile broadband coverage for 6 million people who will not otherwise get it. It is the last chance because, at the end of the month, the Ofcom consultation closes. That consultation will determine the coverage obligation imposed on mobile telephone companies for the 800 megahertz spectrum. This is a spectrum on which we all depend for our smartphones, our iPads and iPhones. It is also a spectrum that is ideal for rural areas. So why has Ofcom stated in its consultation that it has no intention of increasing the coverage from the current level, which, as hon. Members will know, is 95% of the population, 90% of the time? That equates to about 87% of the population.

Mark Tami (Alyn and Deeside) (Lab): Does the hon. Gentleman accept that it is not even that level of coverage? The companies produce maps claiming that there is coverage, only for people to find—I am in this position at home—that it does not actually work.

Rory Stewart: That is an enormously good point. It is a matter of bewildering complexity. Ofcom is over-layering four different models dependent on masts, terrain, topography and thickness of walls, and the reality is, as the hon. Gentleman says, that 90% of the time for 95% of the people is probably an overestimate of what we are currently getting.

Nevertheless, Ofcom states in its consultation document that it can see no benefits from extending the coverage further. In fact, it states on page 67 that the costs would outweigh the benefits. Why? Because it is worried about losing money in the auction—nobody knows how much—and is worried that when it tries to sell the radio spectrum, which it owns, to the mobile telephone companies and asks them to increase their coverage obligation from 95% to 98% these companies might pay less in the auction. Indeed, they may. It stands to reason they would pay less, but probably not as much less as Ofcom fears.

Duncan Hames (Chippenham) (LD): It may indeed stand to reason, but the evidence from past auctions of the spectrum does not show bidders producing bids while in any sense respecting the cost base of the project on which they are about to embark.

Rory Stewart: That is an excellent point. The reality of auctions is not that people operate on a fully rational basis, counting the number of their masts and then bidding exactly less than that. We have all participated in auctions. They are elaborate psychological procedures that are exactly designed to extract as much money as possible.

Dr Thérèse Coffey (Suffolk Coastal) (Con): My hon. Friend is putting the point so eloquently that this is a once-in-a-lifetime opportunity to cover the sorts of constituents that he and I represent, along with many others in the House. Does he agree that there is a risk that Ofcom is being penny wise, pound foolish, and that in future it could become very expensive for this country to have truly mobile broadband?

Rory Stewart: My hon. Friend makes exactly the right point, and much better than I could. "Penny wise, pound foolish" is exactly right. To put it bluntly, it is a no-brainer. This is the time to act. If we are going to do it, we should do it now. There is some fantasy out there that if we get it wrong, we can go back to the mobile telephone companies in two or three years' time and say, "We're very sorry, we didn't impose an obligation on you, but would you mind awfully providing 98% coverage?" However, by that time they will already have begun to lay out their infrastructure and will have made their decisions. Acting then will be more expensive, the mobile telephone companies will be under no obligation to do so, and we will have to pay them. At that point their interests will not be aligned with ours.

If we impose an obligation at the right moment and say, "You've got the licence; now provide 98% coverage," their interests will be to provide it as cheaply and efficiently as possible. If, on the other hand, we approach the mobile telephone companies in three years' time as a contractor, we should remember that there will then be an additional problem. As my hon. Friend suggests, if we do it now, there is no cost to the taxpayer. The money would not come from raising taxes from people or stealing it from another Department. All that we would be doing is taking the risk that we would make slightly less in the auction. That would not be the case in three years' time. If in three years' time we suddenly wanted to spend £215 million on building masts, we would have to tax people or move money from other Departments; and we absolutely know that people who say, "Give me that bird in your hand, because I can promise you those two in the bush in three years' time," are almost certainly misleading us. This is the time to do it.

George Freeman (Mid Norfolk) (Con): While my hon. Friend is on the subject of investment in broadband paying for itself, does he agree that part of the significance of the measure—the Government are to be congratulated on the investment—is that every pound that we spend on rural broadband will pay back UK plc in spades? In my constituency, where coverage is extremely poor, communities are waiting for the opportunity to start businesses back in villages and drive a model of sustainable development. The investment will pay for itself; we merely need to think about how we recoup that benefit and use it to invest in infrastructure.

Rory Stewart: That is a fantastic point. I will come to growth in a second, but perhaps, rather than taking any more interventions, I could now make some progress and accelerate through my speech so that everyone can get in.

There is only one question—the fundamental question—that we need to ask Ofcom: does mobile broadband technology matter? Will this thing that I have in my pocket—this mobile device—and that everyone else has in their pocket matter in five years' time? Will people be using iPads and iPhones then? If we have reason to believe that the technology is important, why are we proposing to leave between 6 million and 9 million in this country on the current figures excluded from using these machines? For the sake of what? Why exactly are we being told that those people should not be able to use the technology?

I hardly need explain to the people in the Chamber why this technology matters or what its uses are. Others will develop that far more, but to run through them quickly, the fantastic comment made by my hon. Friend the Member for Mid Norfolk (George Freeman) was absolutely right. Our economy is driven by these devices. Growth comes from productivity, and the biggest, simplest contribution that we can make to productivity in this country is through broadband and mobile coverage, which is particularly true for rural areas, as the many people in the Chamber from such areas know. Why? Because the biggest contribution to economic growth through mobile and broadband technology is made by small and medium-sized enterprises. What do we have predominantly in rural areas? Small and medium-sized enterprises. My constituency is an example. The national average is that SMEs occupy 50% of the private sector, but in Penrith and The Border, SMEs with fewer than 10 employees employ 92% of our work force. Furthermore, because we are almost starting from scratch in rural areas, we are not talking about a slight increase in speed from 2 megabits to 3 megabits; we are talking about a step change in economic productivity for rural areas.

We are also talking about making a real difference in public services. As we all know, more and more public services are being driven online. In Cumbria, for example, the justification for the Cumbria police closing police stations is that they want policemen to be on the streets more, using their tablets to transmit data straight back to the police station. Nurses and doctors visiting people in their homes rely on being able to transmit data in real time back to a hospital from the home. Education is being transformed by online learning. In the United States, 40% of post-secondary school students are taking a course online. Recent research by Carnegie Mellon university suggests that mixed online and classroom learning can increase the speed at which children learn by 100%. And I do not need to talk about Twitter, Facebook and all the other things that everyone in London, and every child in those parts of the country with mobile coverage, take for granted, except to ask why everyone else should be excluded.

Matthew Hancock (West Suffolk) (Con): My hon. Friend is making an extremely powerful and eloquent speech. In rural areas, we spend more time travelling from place to place, because the distances are greater. The coverage figures that he has given are those for static people when they are at home, but in fact, we spend far more time travelling from A to B, and our communication is often broken further when we do so.

Rory Stewart: My hon. Friend makes a very good point.

My argument is about mobile broadband coverage. What is the argument against extending it in the way that I have suggested? It is cost. Ofcom's only argument

[Rory Stewart]

is that it is worried that it might make a little less in the auction. Let us say that, based on the Swedish and German models, the auction is going to generate about £3.215 billion. Ofcom is worried that it might make only £3 billion. For a number of reasons, that is probably an underestimate. That £215 million represents an absolute worst-case scenario. Let us look this directly in the eye: £215 million is less than we spend in three weeks on our operations in Afghanistan. In fact, mobile coverage is one of the smartest, cheapest forms of infrastructure investment that we can make. It is far cheaper than fixed telephone lines, and far cheaper than ports or roads. As far as infrastructure investment that would create real productive growth in the British economy is concerned, £215 million is a small sum of money.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Could the hon. Gentleman give me some clarification on the figure of £215 million in lost revenue through a change in the coverage? What is the basis for that estimate, and have the providers supported it?

Rory Stewart: It is a very basic estimate predicated on the assumption that, to increase from 95% to 98% coverage, we would need to build approximately 1,500 masts, and that the average cost of a mast hovers at just under £150,000. So the figure of £215 million represents a worst-case scenario. The assumption is that the mobile phone companies will cover some of the costs of the masts anyway, because they will get increased revenue as a result of installing them. The Government should not have to pay for all those masts. Furthermore, companies such as Three already have the infrastructure in place, and were those companies to win that chunk in the auction, they would not have to pay to install new masts. The £215 million is a worst-case projection for getting up to 1,500 extra masts and pushing through to 98% coverage.

Are we prepared to turn around in 2015 and say to people in this country and people in our constituencies, "No, everybody else in the world can have this thing, but you can't have it. In every other part of Britain, if you happen to live in central London, you will be able by 2015 to attach a device to your heart, which can monitor your vital signs, transmit in real time to a hospital, regulate your drug intake and help you stay at home. I am sorry, though, but you live in Northumbria and you are not going to be allowed to have it"?

Are we prepared to turn around to students and say, "Everywhere else in this country, if you happen to live in Chelsea or the centre of Manchester, you can do online learning, you can learn the harp, you can study German or Russian. In fact, you can study anything you want from anyone you want at any time you want, but unfortunately you live in Suffolk, so you are not going to be able to do those things."?

By 2015 it will not be just data-rich businesses or internet-rich businesses, but the basic small and medium-sized enterprises that will be dependent on these devices to cut their transaction costs, increase their reach to market, drop their advertising costs and so on. Are we prepared to turn round to every one of those businesses and say, "Of course it is extremely beneficial for a business to have these services—in fact, it is the only way a business can compete and survive—but because you don't happen to be located in the very centre of London, you are not going to be able to work in that way."?

Are we to say to a farmer, "Through this technology, you might be able to use special identification tags and make some use of the astonishing bureaucracy being imposed on you, but only if you happen to be farming in Chelsea. If you are farming in the uplands of Cumbria, you might as well forget about it."?

We are looking for a positive narrative. We are looking for a narrative around growth. We are looking for growth, which is not effectively saying, "Oh, we are just going to get 90% of the country going". We are looking for growth that is saying, "We want 100% of this country going." Growth is about productivity; productivity is about the internet. If we are looking for a positive narrative, let it be this: at the moment, our best mobile next-generation coverage is worse than that of Uzbekistan. I know something about Uzbekistan. I would not be surprised if someone were to stand up and say to me, "In Uzbekistan, there are more political prisoners in jail than there are in Britain". However, I am not just surprised, but horrified to learn that in Uzbekistan, the mobile next-generation coverage is better than it is in the United Kingdom.

Let us stand behind this motion. Let us push Ofcom with all our might to take that small risk to reach that 98% of coverage. Let us not allow the clever arguments of narrow economists who are blind to technology and obsessed with making their auction feature in a particular fashion allow Britain to miss the chance to get what it needs for its economy, for its society, for its health, for its education and for its communities by signing up to the best superfast mobile and broadband coverage in Europe.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Nigel Evans): I am introducing a 10-minute limit on Back-Bench contributions, with the usual injury time for interventions.

3.23 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I congratulate the Backbench Business Committee on securing this important debate. I know personally how difficult it can be to interest hon. Members in technical subjects. It is to the credit of the hon. Member for Penrith and The Border (Rory Stewart) that he has been so successful in communicating the critical nature of our broadband infrastructure and the importance of the coming spectrum auction.

I declare an interest: before being elected I worked for the telecommunications regulator, Ofcom. [HON. MEMBERS: "Hear, hear".] I thank hon. Members for that! Before that, I worked for 17 years in telecommunications in the private sector. I was personally most grateful for the rise of the internet because it finally enabled me to explain what I did for a living when I was working on an "integrated services digital network private branch exchange", which was double Dutch to most people. Being able to say that I was helping to build the internet meant that my friends and family could finally have confidence that I had a legitimate occupation.

Of course, we have far more important reasons to be grateful to the internet, some of which were mentioned by the hon. Member for Penrith and The Border; others will doubtless be raised during the debate. The internet is well on the way to becoming a necessity rather than something that it is nice to have. For some, the transition has already taken place. According to the Federation of Small Businesses, 90% of its members use the internet in running their businesses, and a third of those think that the broadband speed is reducing their productivity. That is a real indictment of the current level of broadband provision. If broadband is such a necessity, why have the Government delayed the provision of universal access until 2015?

I welcome the motion's emphasis on the importance of broadband, but I want to focus on the part that calls for the mobile auction coverage requirement to be extended from 95% to 98%. I could talk for a long time about the strengths and importance of broadband, but I want to focus on that specific technical area, because it is in that regard that I fear that the objectives of many Government Members may not be realised

Ofcom is not primarily concerned with raising revenue, as the hon. Member for Penrith and The Border suggested. Its primary aim, generally and as set out in the directive, is to maximise competition. If pressure is being placed on Ofcom to consider the amount of revenue raised, that pressure is coming from the Government. Ofcom is consulting on a 95% coverage requirement because that is the coverage that mobile operators feel they can achieve without significant additional investment. It is about putting equipment on existing base stations rather than building new ones. Considerable costs will still be incurred, because the equipment is costly, but Ofcom has judged that the cost will not prove prohibitive to the private sector business case. I am sure that Members on both sides of the House recognise the importance of a valid business case to investments in the private sector. However, extending coverage to 98% would increase the cost considerably. I was interested in the estimate of £250 million from the hon. Member for Penrith and The Border. I note that the Ofcom consultation specifically avoids giving an estimate, on the basis that the modelling is too complex and time-consuming to undertake at present.

One thing that should be emphasised is the importance of getting the spectrum out there as quickly as possible. We do not want to spend too much time on network economic modelling. However, we must also recognise that adding a line to a licence requirement will not get that equipment out into the field; nor will it get mobile broadband into Members' constituencies. We need to ensure that private sector companies are properly incentivised.

Increasing the mobile coverage requirement may well reduce the Treasury's income. I agree with the hon. Member for Penrith and The Border that that would be a reasonable price to pay if we could be sure of the results, but there are two main concerns. The coverage requirement is for 2017. That might seem a long time to wait—indeed, to small businesses painfully watching the hated Microsoft hourglass turn it must seem an eternity—but it is worth noting that the 3G coverage requirement, which was for only 80%, was not met until seven years after the auction. Can the rural small businesses of this country really wait so long? The Government have apparently committed themselves to providing universal broadband by 2015, but that leaves us still four years away from a decent broadband service for all.

Andrew Bridgen (North West Leicestershire) (Con): I hate to break up the cosy consensus, but I am going to anyway. I understand that the Opposition are claiming in the media that they could deliver broadband roll-out both faster and at considerably lower expense than proposed by the coalition Government—indeed, £200 million less. Can the hon. Lady tell the House of any project at all that the Labour Government delivered both on time and on budget, let alone in reduced time and at reduced budget?

Chi Onwurah: The previous Government committed to providing universal broadband access at 2 megabits by 2012, whereas it is my understanding that the current Government have made a commitment to the best broadband—there is some doubt as to the exact definition of that term—by 2015. Our project was to be implemented not by the Government, but by the private sector, and with the right incentives. It was not only fully planned, but fully costed, and had the support of the vast majority of the telecommunications industry, who agreed that it was feasible. The current proposal to deliver superfast broadband by 2015 is, however, not fully costed, as I am sure broadband companies would set out in detail.

The coverage obligations do not match private sector business cases, and, unfortunately, are a very crude and ineffective way of correcting what is, effectively, market failure. There will be a cost to the public purse, but unlike in a directed programme, we will not have any say as to how that money is spent; so the Treasury will lose money, but we will have no guarantee or say as to how it is invested.

Rory Stewart: What does the hon. Lady think of the simple proposal to set out the number of additional masts required? If Stephen Temple were to propose that there should simply be, let us say, 1,500 additional long-term evolution masts, rather than setting a 98% coverage target, that would be much simpler to measure, there would be no debates about how exactly the plan would be modelled, and costs would be much more straightforward.

Chi Onwurah: I am delighted that the hon. Gentleman has launched himself so deeply into the detail of network infrastructure roll-out. I hope the vast majority of Members on the Government Benches would agree with me that we do not want to specify to private companies exactly how they must roll-out their infrastructure, the number of masts they will need to put in place, the equipment they should use, or the technology choices they should make. I would not therefore support specifying the number of masts, although that is an interesting proposal.

Specifying the coverage is a useful way of trying to ensure efficient roll-out, but my concern is that if the coverage that is specified does not accord with the good and effective business case, there will be unintended, and potentially perverse, consequences.

Duncan Hames: One consequence would be a cross-subsidy from those—perhaps in urban areas—who enjoy low-cost services to those of us in other parts of the country who might not, but who would therefore be

[Duncan Hames]

able to share in the network. Given that we support such consequences in respect of the Royal Mail universal service obligation, why should we not support them in the context of broadband or mobile coverage?

Chi Onwurah: My party is known for supporting redistribution in many areas and we would certainly support cross-subsidy, which is effectively the result, if that were the only consequence. When I speak of unintended consequences, I am suggesting we might not, perhaps, get the optimum mobile coverage within three years or one year because the coverage requirement is for 2017, which might concentrate the minds of the mobile operators on that date.

Rory Stewart: Will the hon. Lady clarify what she proposes to do to ensure that an additional 3 million people get coverage?

Chi Onwurah: I thank the hon. Gentleman for asking that; I have very little time left, so I shall race to that point. The most effective way for a Government to intervene in a market is to direct subsidy in the most effective way possible to incentivise network coverage in the areas it is required. I suggest to hon. Members that rather than hiding behind indirect intervention through the regulator and blaming the regulator's short-sightedness, we should clearly set out that we want universal access to standard broadband for all by 2012 and we should ensure that we have the means to achieve it.

3.36 pm

Eric Ollerenshaw (Lancaster and Fleetwood) (Con): I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart), who has pressed this issue on our behalf and who has got us to this stage. His enthusiasm and eloquence is being listened to by the Government. I do not call myself a technical expert, unlike my hon. Friend and the hon. Member for Newcastle upon Tyne Central (Chi Onwurah). I want to focus, following on from what the hon. Lady said, on the law of unintended consequences, but regarding general strictures about what has happened over the past 13 years.

I, as a new Member of Parliament, and all of us have fought in our areas on behalf of the rural sector of our constituencies. We might have fought on behalf of the local pub, of the last remaining village shop or of the last remaining small village school. As my hon. Friend said, this is a once in a lifetime chance to get things right and to reverse what is happening across the country and in all our constituencies. Villages and hamlets are either becoming distant dormitory suburbs of a town or a museum piece showing a long-lost England. In fact, historically speaking, they were the centres of business and enterprise, and for many of us the internet provided many people in those villages with a huge opportunity to restore something to village life. If we miss it, as hon. Members have said, we have missed it for a generation.

Let me give an example from my constituency. A community group came up with its own idea to revive the area, right in the hills of deepest rural Lancashire. The group got the whole community together with a programme that covered a number of villages. The plan was to cover Over Wyresdale and Quernmore with an extension through the small hamlets of Littledale and Roeburndale to the distant villages of Wray, Melling and Wennington. Only 1,000 properties were going to be provided with high-speed optic fibre. The group applied for a £750,000 grant from the rural development programme—that was all. As everyone knows, optic fibre is costly and the community planned to get over the cost by digging the ducts. The farmers gave permission because it was a community enterprise.

The people involved, who lead busy working lives, went through the whole process because they saw farmers in the hills of Lancashire having to travel miles every month to find the nearest internet access to fill in the Rural Payments Agency's licence and registration forms for every sheep and every cow. Children travelled miles to find the nearest internet access because the homework for certain courses required internet access, which was not available in the hill-top villages. For all those reasons, the whole community got together and made some progress on the project for just £750,000—not a great deal compared with the sums that have gone missing over the past 13 years. Then, for the best of reasons the Northwest Regional Development Agency decided in its dying days this year to give the county council £20 million for broadband access across the whole of Lancashire. One might say that was an absolute positive, but what happened to our £750,000 programme? It somehow got trapped in the bureaucracy and it has been swept up into the £20 million. For the best of reasons, the county council, which has more than my area to deal with as areas all around want broadband, has to put the contract out to tender to commercial companies. The people who have worked hard on this—I pay tribute to two people in particular in my area, Barry Forde and Chris Conder, who have worked tirelessly—have estimated that if commercial companies come in, it will cost more because they will not get free access across fields. After all, why should a farmer grant free access to BT, Vodafone or whoever? They would have to charge them and the cost would be about £5,000 to £10,000 per property. Given the 1,000 properties I have mentioned, the cost for my small area alone would be £10 million, so where is the £20 million going to go?

To be fair to the county, it has the best of intentions and I give credit to the coalition Government for trying to drive this through. I know that Ministers, especially the Under-Secretary of State for Culture, Olympics, Media and Sport, the hon. Member for Wantage (Mr Vaizey), understand both this issue and the urban-rural divide. However, in my area we are possibly going to lose a whole big society project. Rural communities, who have always felt isolated and separated, have almost got to the point of accepting that this is how things are—that the towns get everything. They think that the towns are where their children will move when they grow up and that perhaps one or two of them will come back to retire; that is how we end up with the dormitory villages that so many of us recognise. The big society project in my area has been swept away along with all it had brought in terms of community and social contact across the hills and valleys and between hamlets. There is also a possibility that because of the cost local people will not get the superfast broadband they need for the next generation.

Graham Jones (Hyndburn) (Lab): I must declare an interest because I am still a Lancashire county councillor. As such I have quite an interest in the hon. Gentleman's comments. The BT contract that has been struck by the Conservative administration is taking a very top-down approach and it has been criticised for that. I understand why he is speaking out for his constituents, but it is within his party's hands to do something about this issue, as it is the top-down approach of Lancashire county council that is being criticised.

Eric Ollerenshaw: It is a pity that the hon. Gentleman has to reduce this matter to party politics given that there has been a genuine attempt across parties to get it right. I remind him that for 13 years nothing at all happened except the decline of those villages. I said that those involved had the best intentions and were trying to get the best results, as are the Government, and many of us are still working to do that.

We might lose our big society project but, more importantly, although the broadband that will come to the hills of Lancashire will be great and will mean that children and farmers in my area will finally be able to get on to the internet, it is estimated that most of that will be down copper wires or by satellite, so when the next stage comes, as the technical experts my hon. Friend the Member for Penrith and The Border and the hon. Member for Newcastle upon Tyne Central understand far better than I do, we will end up, yet again, with the same divide between rural and urban England.

Ian Lucas (Wrexham) (Lab): Will the hon. Gentleman clarify something? I understand that Lancashire county council is probably the first local authority to put such provision out to tender. Has it tendered on the basis of coverage being provided by one operator for the whole county or has it left open the possibility of different operators providing services in different parts of the county?

Eric Ollerenshaw: My understanding is that it is one operator, but I stand to be corrected on that. It is also my understanding that it is attempting to take into account my concerns and those of the villages in my constituency.

Everyone in this arena is trying to get this done. We all understand what the issue is and that it needs to be dealt with now. All I am trying to do is explain the examples from my constituency. We may well get something in rural Lancashire, but it might be something that in a couple of years' time prevents us from getting to the next stage. I hope that we do not miss that bus and end up with yet another division between rural and urban areas. I hope that the Government will understand that as they plot to achieve the 98% coverage that my hon. Friend the Member for Penrith and The Border wants to see. We must take into account the communities and the fact that they themselves want to contribute to achieve something. If we get that right, we will get it right for more than a generation.

3.45 pm

John Woodcock (Barrow and Furness) (Lab/Co-op): I congratulate the Backbench Business Committee on securing the debate and, of course, the hon. Member for Penrith and The Border (Rory Stewart), my Cumbrian neighbour, on leading it. He made a superb speech that touched incredibly well on many issues, particularly the need for a narrative and action on growth and the means to deliver it. There is always space for him on the Opposition Benches—quite a lot of space at the moment. He made the point that, "Of course we can spend money on X; look at how much we spend everyday on all these terrible wars", which would chime very well with what some of my colleagues say; I was surprised to hear it from the Conservative Benches. I have worked with him on the need for faster broadband in Cumbria and will say more about that in a moment.

It was good to follow the very well-made speech by the hon. Member for Lancaster and Fleetwood (Eric Ollerenshaw). He said that nothing had been done over the past 13 years, and obviously I wish that in many areas we had gone faster. We now need to accelerate progress, but I do not remember being able in 1997 to sit in my room in Barrow—it is upstairs, admittedly—and flick through the 3G and wi-fi on my iPhone, so things have really improved. The regulatory framework put in place by the previous Government has been part of that, and the Minister has experience of that. We should recognise that much has been done and that much more needs to be done.

I should also say that I have written to Mr Speaker to ask to be excused from the winding-up speeches, as I am travelling to Scotland this evening for the funeral of David Cairns tomorrow. I hope that the Minister and other Members will excuse me.

In the brief time available, I want to stress the economic importance of faster broadband networks in my constituency and across Cumbria. We of course want faster roll-out and see the urgency of that. I am happy to support the motion tabled by the hon. Member for Penrith and The Border, but we need to do this as fast as possible, and 2015 is still a significant way off. There is a need for greater action from the Government and from broadband providers, which we must not forget.

I want to mention the example of Kates Skates in Barrow. Barrow is an urban area, but urban areas within larger rural counties experience these problems cheek by jowl with people and companies that would more readily be associated with rural surroundings, as the hon. Member for Lancaster and Fleetwood noted. In 1996, Chris and Catherine Palmen thought that it would be a good idea to construct an indoor ice rink in the centre of Barrow. It actually turned out to be a bad idea, which did not get anywhere at all, but their story is testament to our extraordinary entrepreneurial spirit in Furness and throughout the country, because unperturbed by the mammoth flop of that business the Palmens decided to go into retail.

Kates Skates started with ice skates and quickly expanded to the point now where it has possibly Europe's largest range of skates, skateboards, snowboards—if any Government Members are skater boys or girls, they can help me out—and scooters. The company has a really tremendous range, ships upwards of 250 orders a day from its small store and employs about 20 people, with 5% of its orders coming from the shop in Furness and 95% from online orders from the rest of the UK and, increasingly, Europe.

That is exactly the kind of business that we need to promote to ensure that such concerns can prosper anywhere in the UK, but the Palmens tell me of their enormous frustration at their slow broadband connection, which really hampers their internal processes. They spent quite a lot of money developing 3D images of their products,

[John Woodcock]

but having reached that stage they realised that they could not put them online because their broadband link was too slow to sustain them. We have to be able to do something about that. Companies such as Kates Skates say, "We started up in the area where we are from, we want to stay there, we love the quality of life in Barrow and the access to elsewhere in the Lake district, and we don't want to move to a larger city." The Palmens are in an increasingly difficult situation, however, because of the slow broadband with which they are forced to contend.

Many people have raised this problem with me, and I am sure that we will hear further examples throughout the day. CGP Books in Broughton, a great company producing textbooks, has itself shelled out for a faster link, but the increasing costs are obviously affecting its bottom line. Furness Internet, which provides services throughout the area, has frustrated customers who want to do more but cannot because of a single point of failure: the data cable that it purchased at great expense. The company says that the cable is relatively reliable at the moment, but if it goes down, all the customers of Furness Internet will be up the swanny, and that is really worrying for people who are looking to locate to the area. I spoke to the head of Cumbria's chamber of commerce today, who stressed how absolutely essential it is for us to sort out the problem if we are to drive wider progress in the county.

George Freeman: I believe that in a previous existence the hon. Gentleman used to advise the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown) when he was Prime Minister, and I was wondering how much of the £20 billion-odd that the former Government raised through the sale of 3G licences was reinvested in the rural broadband network. If a little of that money had been invested, would we not be in a better position today?

John Woodcock: It is interesting that the hon. Gentleman mentions my former boss, the former Prime Minister, and mobile phones. His robust, old-school Nokia survived many trials and tribulations, during even my time working for him. Those rumours are not true, by the way—just to be clear.

Look, investment was made. There are real questions about whether there was enough investment, and about whether progress moved fast enough, but there has been very fast progress. Does it need to be faster in future? Unquestionably, yes, and that is what we are here to discuss.

Rory Stewart: I hesitate to invite the hon. Gentleman to come and join us on the Government Benches, but could he explain why this country rates lower than Romania in terms of the download speeds on our mobile broadband networks?

John Woodcock: This is not only an issue for the Government but for the private sector and for individuals. There was a collective failure to anticipate the rate of growth across the world and how critical it would become to people going about their business and to the operation of businesses and public services. It is now absolutely right to put in place steps to ensure that we can grow, right across the country, to the extent that we need to.

The Government need to put in place a more robust framework. We made that case strongly before the election and continue to do so. There is also a role for the big providers, which need to do more than they are doing at present. I am pleased that BT has sustained work at its call centre in Barrow, which was earmarked for closure. After a robust campaign by me and by workers and the Communication Workers Union, BT thought again and is now talking about increasing the level of work in that call centre. One of the reasons it initially gave for the difficulty in bringing work into the area was that it did not have the broadband speed that some places in India had. That is a very alarming fact that shows the clear business need to speed up the level of service.

I would say to BT and other companies that competitions such as Race to Infinity, which I imagine a lot of areas represented here took part in, must not merely be a data capture exercise in which the top five win and the companies end up with massive numbers of people to write to about products in future. It is important to reflect the clear business need that exists in these areas and the business case for putting in superfast broadband. It is vital to strengthen the framework, but we also need more action from the private companies in doing the right thing by the many individuals who rely on superfast broadband and by the businesses that are crying out for it so that they can grow.

3.58 pm

Andrew Griffiths (Burton) (Con): It is perhaps apt that I follow the hon. Member for Barrow and Furness (John Woodcock), because he and I both know what it is like to feel pain. We have suffered together. Last week, he and I, and other hon. Members, including my hon. Friends the Members for High Peak (Andrew Bingham) and for Carmarthen West and South Pembrokeshire (Simon Hart), went off to the Falkland Islands, where we endured a 3G desert. There is no 3G mobile service in the Falkland Islands. If, Mr Deputy Speaker, you see an elected Member of Parliament wrenched from his BlackBerry—or CrackBerry, as it is known—and unable to tweet for a whole seven days, you will understand what real pain is like.

Having endured the indignity of not having 3G for a week, I rather understand the terrible situation that many of my constituents and constituents of other hon. Members suffer not just for a week but on a regular basis, and the impact on their quality of life and ability to do their jobs and keep in touch with friends and family. It has a massive effect, and we should not underestimate it.

Dr Andrew Murrison (South West Wiltshire) (Con): Does my hon. Friend agree that the frustration in certain constituencies is added to when wonderful maps are produced by Ofcom that suggest that they have coverage, whereas the practical reality for many constituents is that they simply do not have that coverage? That rather adds insult to injury.

Andrew Griffiths: I absolutely agree with my hon. Friend. In fact, the situation is worse than that. All Members have constituents who pay for broadband services that they do not receive. Some of my constituents in Burton pay for what they are assured is 8-megabit broadband, but receive 0.9-megabit broadband. The frustration of buying a product that one does not receive is massive. I therefore share his concerns.

As we speak, there are people in my constituency of Burton who are desperate to stream Parliament TV live, but who are unable to do so because of their inability to access fast broadband. One of the issues that appears most consistently, week upon week, in my postbag as a constituency MP, if one excludes automated campaigns on issues such as forests, is access to broadband. It is incumbent on us, as politicians, to represent that frustration, which we have heard about, and to get something done about it. On that point, I pay tribute to my hon. Friend the Member for Penrith and The Border (Rory Stewart) for giving one of the most interesting, informative and motivational speeches that I have heard in this Chamber for a long time. He is a credit to those who campaign for faster broadband and we are delighted to have him leading the charge.

I would like to pay tribute to the efforts of certain people in my constituency. The first is Ian Page, who is evangelical, bordering on obsessive, about getting faster broadband for Burton and the outlying areas. Many hon. Members will know that my constituency is an interesting mix of urban areas—Burton is a brewing town—and outlying villages, many of which are incredibly rural. Ian has run a campaign over many months and years, and has put in a great amount of his own time. He runs street stalls, starts petitions and has a website. We are very lucky to have him in our constituency, because he does a great deal of work. I also pay tribute to my local newspaper, the *Burton Mail*, which has consistently run a campaign to force BT, kicking and screaming, to improve broadband access in my constituency.

The reason for those campaigns is that the current broadband service is stopping growth and jobs in my constituency. I know of at least three businesses that were looking to relocate in the Burton constituency, but decided not to simply because of the poor quality of the broadband access. One was a printer, who needed broadband access to download graphics and large files for his business. He had no choice but to move elsewhere in Derbyshire, where the broadband access is better. It is frustrating as a constituency MP, desperate as I am to bring new jobs and employment to my area, to see that hampered by BT's inability to provide the internet access that is needed.

Eric Joyce (Falkirk) (Lab): The hon. Gentleman mentioned quality. Does he agree that although we talk about roll-out and the percentage of coverage, we do not talk much about capacity? Of course it is important to talk about rural areas. However, in every constituency across the country, even in much more urban areas, there are people who technically have coverage, but the quality and limited capacity of the access mean that it cannot be used commercially. I hope that the 4G spectrum will deliver that increased capacity, but it remains to be seen whether it will.

Andrew Griffiths: I absolutely agree. There are examples in my constituency, particularly in outlying villages, where one person gets a decent broadband service and their next-door neighbour gets sporadic access, if any. The inconsistency of provision is a major problem for a large number of people not just in my constituency but, I am sure, across the country.

Dr Julian Lewis (New Forest East) (Con): Even in Hampshire, where the county council has invested heavily in its public services network, it is calculated that by 2015, 20% of people and businesses will still be unable to get access that is anything other than very slow, if they can get it at all. We are talking about 25,000 businesses and 112,000 people.

Andrew Griffiths: My hon. Friend is exactly right, and at a time when we have a global economy and the internet provides access to employment, contracts and business, it is simply unacceptable for people to be denied that facility. I know that the Minister is passionate about the subject, but we desperately need to see some movement forward.

In opening the debate, my hon. Friend the Member for Penrith and The Border talked about the trade-off between the auction price and the cost to UK plc as a trading organisation. If we asked people in my constituency about that trade-off, I think they would say, "Give us faster broadband now". I hope that the Minister is receiving that message loud and clear.

We talk about rural broadband, but in my constituency there are villages such as Anslow and Tatenhill that are only 1 mile or 1½ miles outside the central Burton area but whose internet access is incredibly sporadic or in many cases non-existent.

Chi Onwurah: The hon. Gentleman has spoken eloquently about the impact of slow broadband on his constituents. If he asked them, would they say they wanted universal broadband coverage by 2012 as the Labour Government proposed?

Andrew Griffiths: The hon. Lady asks an interesting question. I think they would say, "We want faster broadband, and we want it now". We all understand that feeling.

It is incumbent on BT in particular to focus on what it can do to extend coverage to people who are at the end of the line. Villages such as those that I mentioned, which are tantalisingly close to the exchange, should get better broadband provision.

Has the Minister considered whether the legislation on the unbundling of the local loop needs revisiting? Should we not say that if BT cannot provide a service from exchange to cabinet and cabinet to home, we should open it up to competition and allow other providers to do it? I do not think my constituents care who provides the line; they just want access. Is there a case for considering whether other providers could do that faster and more effectively? That is not to criticise BT, because I know it is doing its level best, but the current situation is hampering the UK economy and having an impact on people's quality of life.

Once again, I congratulate the Backbench Business Committee and my hon. Friend the Member for Penrith and The Border on bringing forward such an important debate.

4.9 pm

Tim Farron (Westmorland and Lonsdale) (LD): I start by paying tribute to my neighbours and friends in Cumbria and other Members for excellent speeches. This is a tremendously important debate, and I will restrict my comments mostly to the third part of the motion, which refers to target broadband speeds. My neighbour, the hon. Member for Barrow and Furness (John Woodcock), talked about the impact on business, but I wish to mention the impact of broadband coverage—or, in the case of south Cumbria, the lack of adequate broadband coverage—on social equality and social justice.

Let us look at the wider picture. The biggest issue facing folks in the Lake district and the dales, and in the areas that are so beautiful that they are not in either national park in south Cumbria, is the mismatch between average incomes and average house prices. The average house price in my patch is more than £250,000, but the average income is significantly less than £20,000. One in three young people leaves our area and never comes back.

My hon. Friend the Member for Burton (Andrew Griffiths) spoke about the loss of businesses from his area because of the lack of broadband coverage. Many people who employ four or five members of staff will shift their business out of the south lakes because of a lack of business space, but they also move away because of the lack of access to decent broadband coverage.

Superfast broadband is a way of equalising opportunities in rural areas, where wealth and poverty are cheek by jowl. Why would people not live in a staggeringly beautiful place such as the Lake district or south Cumbria if they could afford to do so and if they could make a living there? People move into our area to retire—they are extremely welcome if they have the wherewithal to do so. Others buy second homes and visit occasionally, which is okay. However, many are effectively displaced, because they cannot earn a living there. Adequate—or, I hope, more than adequate—access to superfast broadband would give people the opportunity to set up or work for businesses and to make a decent living.

Tessa Munt (Wells) (LD): The same problem exists in Somerset, and it affects not only those who are seeking to retire but those who are seeking jobs. In my area, jobcentres are few and far between, and people seeking jobs must be online to apply for jobs that are advertised in jobcentres, so their opportunities are incredibly limited when they cannot get broadband.

Tim Farron: My hon. Friend makes an excellent point. The need for such communications is greater for people in rural areas than for people in urban areas.

The current situation in my constituency is that many areas have access to pathetically slow broadband speeds. I pay tribute to Colin Barr and the team from Colton parish council, whose study showed that 45% of people in the High Furness local area could access no more than 0.5 megabits per second. Our communities and their MPs will not tolerate that. That is why I am so proud that our communities in Cumbria, and South Lakeland especially, are choosing to make their own luck. I pay tribute to the folks in Colton, Hutton Roof, Grasmere, Beetham, Kirkby Lonsdale and Upper Kent, and to the team from Fibre GarDen who ensure that we can deliver superfast broadband to Garsdale and Dent. They show a vision that UK plc—I am not aiming criticism in any specific direction—has so far not matched. This debate is about demonstrating that the House of Commons stands behind them in solidarity.

We must show ambition. The ambition that saw the development of the railways, canals and so on is lacking so far in that critical aspect of our infrastructure needs. The target of 2 megabits per second, as I am sure most hon. Members know, is staggeringly unambitious. Next year, Norway will roll out to 98% of its inhabitants 100 megabits per second, and the EU digital agenda is for 30 megabits per second by 2020. I admit that Singapore is not entirely rural—*[Interruption.]* It has bits of rain forest—I checked on Google Maps and once upon a time spent six weeks there. Singapore has access to 1 gigabit per second, for pity's sake, which is what we are competing with. The reality is that we are behind. That will matter.

When I studied at university in the constituency of the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) in 1990—I would barely touch a word processor at that time, never mind anything else—I read an article about mobile phone usage. People were asked, "Can you see yourself needing a mobile phone in the next 10 years, or would you want one?" but only one in five answered yes. My hon. Friend the Member for Burton was asked how many of his constituents want access immediately. I am sure that many do, but I am also sure that many of his constituents, like many of mine, do not realise that they want it, or that they should want it.

There is a need for evangelism to sell the need for access to superfast broadband. We will need something like 100 megabits per second, and we will need it soon. For example, those places in Cumbria that are most remote from hospitals and the most likely to benefit from telemedicine are the least likely to have the chance to access that technology. World leaders such as Gilkes in Kendal, which is providing hydroturbines in south, central and north America, need to be able to upload incredibly complex graphic designs. Kendal now has 20 megabits per second and that is wonderful, but even that will not be enough for very long. Rural farmers need to be able to complete their Rural Payments Agency forms. The £2 billion Cumbrian tourism industry needs to be able to punch above its weight as it fights the city break market. To do that it needs more than the 2 megabits per second that we are talking about today.

I am proud to be part of the campaign across Cumbria with the county council and BDUK—Broadband Delivery UK—to roll out the broadband pilot in South Lakelands. I am also proud of the broadband pioneers and the hub co-ordinators we have in the area. I welcome what is happening in Cumbria, but I am frustrated by the speed of the project and the speed of the target. I am concerned that the infrastructure as it is built across Britain must be future-proof, but it is not even now-proof. We have to build a network that is in the interests of our communities and businesses, and—dare I say?—not in the interests of one or two large telecommunications companies. That is the great fear I have about our county project. We have heard that fear about Lancashire and I suspect that it is shared across the country.

We need to state that copper is not the answer and that fibre to the cabinet is not a future-proof answer. It might suit certain companies, but it is not future-proof and fibre to the home and business is the answer. Mobile and satellite solutions also play a huge role, and I endorse everything that my hon. Friend the Member for Penrith and The Border (Rory Stewart) said about mobile networks. Costs should not be higher for users in rural areas than they are for users in cities, and that is another important issue.

Andrew Fleck, the chairman of Fibre GarDen—the team trying to bring fibre-optic, superfast broadband to Garsdale and Dentdale, said in his e-mail to me a couple of days ago:

> "The cost of nationwide implementation is prohibitive in the current economic climate, but the economic penalty for delay will be greater still."

He is absolutely right. Tonight I will get on the train to Oxenholme and travel on a rail network that was built by visionaries 150 years ago. That is the sort of vision and ambition that we need today.

Chi Onwurah: I congratulate the hon. Gentleman on setting out in such visionary terms the superfast future that we all hope to have, but it is worth noting that the vast majority of the companies that built the railways went bankrupt and it was public subsidy that enabled the uneconomic areas to be reached.

Tim Farron: The hon. Lady makes a correct observation, and I would make one in return—and it is not meant as a dig at my hon. Friends from another party. Let us reflect on how Norway is able to have 98% access to 100 megabits per second next year: it is because it still owns its telecommunications company and it can make it so.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. Many hon. Members still wish to speak, so I am reducing the time limit to eight minutes. If hon. Members could tend more towards six minutes, everybody will get a chance.

4.19 pm

Andrew Jones (Harrogate and Knaresborough) (Con): I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing this debate this afternoon and on his passionate and eloquent speech. I strongly support this motion. Mobile phone connection and access to the internet at a decent, workable speed are things that much of urban Britain can take for granted, but those vital connections are often absent entirely in rural Britain.

I will focus on one part of the motion, which is the impact that poor access to the internet and lack of broadband have on local communities. In parts of north Yorkshire and my constituency, broadband coverage is desperate. North Yorkshire has among the poorest provision in the country, with 30% of the county being classed as a low-speed area. The impact of this weakness is seen in many ways. For one, it holds back our local economy and has a detrimental impact on jobs and growth. For example, one of the biggest employers in my constituency is a company that forms part of a large international group, but it cannot operate its group's international systems simply because the internet platform is so poor.

Andrea Leadsom (South Northamptonshire) (Con): I agree entirely that superfast broadband would be enormously beneficial to our economy. Does my hon. Friend agree that the £20 billion that we might be spending on high-speed rail will do less to improve the north-south divide than would superfast broadband, which would benefit all parts of our economy?

Andrew Jones: That is tempting but difficult territory. I will resist the temptation because I have long campaigned vigorously for better rail connections for my constituency, particularly for better trains to Leeds and York and direct services to and from London. By the way—a small plug—the first direct service to Harrogate from London starts on Monday.

Julian Smith (Skipton and Ripon) (Con): What time?

Andrew Jones: About half-past 5, I think my hon. Friend will find. I hope to be there to see it off, like the Fat Controller, and then dash back to comply with the whipping arrangements later that evening. I think that high-speed rail is a good idea for certain parts of the country, so I am upfront about supporting it. My only complaint is that delivery is so slow that I will be well over 70 by the time it reaches Yorkshire—thank goodness that feels a little way off!

I was making the point about businesses in my constituency requiring a better internet platform. Many of our small and medium-sized enterprises, often in the agricultural and tourism sectors, are being held back. They need a good internet presence to reach out to their customers and win business. However, the lack of broadband is not purely a commercial matter. It has held back access to education, as was expressed so eloquently earlier. It also holds back the provision of public services. I saw that first hand as a member of Harrogate borough council while seeking to improve services across a wide but poorly connected area. I do not want the people of north Yorkshire to be unable to take advantage of developments in health care. I have seen and discussed with health care professionals from Airedale NHS Foundation Trust how its telemedicine work can help people in remote communities, particularly those with long-term conditions.

Then there are the straight social and community benefits. Communities that can communicate are stronger. It is easy to do the diagnosis, but harder to tackle the issue. I have to say to the Minister, however, that I think the Government get that and understand rural communities. I was pleased to see the high level of investment that the Government have found for this area, despite these being very difficult financial times. We have worked hard in north Yorkshire to be one of the pilot areas for the roll-out of superfast broadband, and I pay particular tribute to my hon. Friend the Member for Skipton and Ripon (Julian Smith), who is here today. As a team of north Yorkshire MPs, we have worked to put the case for our area's inclusion in the Government pilots, which we secured—I am grateful to the Minister for that. Although we work as a Yorkshire team in many areas, teams need leaders and on this particular issue my hon. Friend has done a great job of leading the way.

The progress that we are making in north Yorkshire is very encouraging. Many groups have been working together, including the county council, the district council,

[Andrew Jones]

the voluntary sector, local communities and business groups. This issue has been identified by the new York and North Yorkshire local enterprise partnership as one of its priorities. We also have a good local delivery vehicle in NYnet. The provision of excellent broadband services is critical to our country, but especially critical in rural areas of long distances and low-population densities, where we have seen the danger of communities falling behind. The Government have responded positively to this challenge, and in north Yorkshire we are taking up the challenge from them to make our pilot as successful as possible. I am happy to support this motion.

4.24 pm

Andrew Stephenson (Pendle) (Con): I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing this important debate. Much of what I was going to say has already been covered by previous speakers. However, I would like to cite a few examples from Pendle of the urgent need for better broadband access in our rural areas.

Earlier this year I was contacted by Robin Yerkess from Fence, whose broadband speed was only 0.3 megabits. After BT was contacted and an engineer sent out to see my constituent, that increased to 1.4 megabits, which is an improvement, but can hardly be described as good. Neil Hodgson, a resident from Blacko, tells me that broadband speeds in the area are only 0.5 megabits, while Ian Smith, another Blacko resident, says the same, although his broadband speed recently peaked at 2 megabits following some work on the exchange. As many hon. Members have said, broadband for such constituents is not a luxury; it is absolutely essential. Mr Smith works from home for a company based overseas. Without extending broadband coverage to our rural areas, it would simply not be possible to perform jobs such as his.

In Higham, Arthur Stuttard says that the maximum speed at his property is 1.2 megabits and constantly dropping. The connection was once down for six weeks because of corroded lines. The same is reported by Bernard Ingham—*[Laughter]*—indeed—the chairman of Higham parish council, who says that he typically gets just 1.25 megabits to 1.75 megabits. I have had similar reports from many Pendleside villages. Brian Nelson from Roughlee tells me that he has never achieved more than 1 megabit, while Bill Mayor from Goldshaw Booth says that Newchurch may be unique in the whole country for suffering poor connection "when it rains".

Broadband coverage in the centre of Colne, where I live, is relatively good. However, as soon as one gets away from the town centre, things deteriorate rapidly. Raymond Rushton from Trawden told me that his broadband speed varies from 0.58 megabits on some days to 2.8 megabits on others. Kris Stevens from Laneshaw Bridge has said that speeds of up to 3.7 megabits can be achieved between 10 pm and 3 pm, but during peak hours that is reduced to 0.7 megabits, making packages such as Sky Player completely unusable. I share the same fate as my hon. Friend the Member for Burton (Andrew Griffiths). Unfortunately, none of my constituents has complained that they have not been able to get BBC Parliament streamed live quickly enough, although I am sure that many of them are paying close attention to what goes on in this place.

Those are just a few of the constituents who have e-mailed me or contacted me via Facebook or Twitter in advance of this debate—people who are becoming increasingly frustrated by the inadequate broadband coverage in Pendle. Unless rural broadband improves, people will no longer be able to move into those villages or other rural areas, killing our local economies and leaving those still living in those communities with restricted access to jobs, information and public services. It is about time that our rural areas enjoyed the same access to broadband that so many businesses and individuals in our larger cities have been used to for so long, particularly given the importance of fast, reliable broadband in creating small and medium-sized enterprises and driving employment growth.

Richard Graham (Gloucester) (Con): The important motion before us refers to rural broadband, but does my hon. Friend agree that it is also remarkable how many small areas on the edges of cities are affected? For example, Quedgeley in my constituency is served by the Hardwicke exchange in Stroud, which is a rural area, with 100 businesses there affected by slow broadband. Does he agree that the Minister should also consider that aspect of this important motion put forward by my hon. Friend the Member for Penrith and The Border (Rory Stewart)?

Andrew Stephenson: My hon. Friend makes a valid point. What is surprising about his constituency and mine is that many of the properties that suffer from slow speeds are short distances from the exchanges that serve them. However, the technology used is so old, archaic and lacking in investment that such problems continue year in, year out.

I applaud what the Government have announced so far, particularly the initiative announced last October, which earmarked four rural areas—unfortunately not including Lancashire—for a pilot scheme for the next generation of high-speed broadband, in addition to setting aside £50 million for investment in the second wave of internet test projects. But the £830 million that the Government have pledged to create the best broadband network in Europe by 2015 will be spent in vain unless those living in more remote areas—

Ian Lucas: On a point of information, I think that the hon. Gentleman will find that the figure is £530 million. The Minister will correct me if I am wrong.

Andrew Stephenson: I am happy to agree with the hon. Gentleman on that figure. My key point is that that money will have been spent in vain unless it benefits those in rural areas as well as those in urban areas across the country.

Owing to the rural, coastal and sparsely populated nature of Lancashire, there is a real fear that our county could be left behind. A pan-Lancashire proposal endorsed by the local enterprise partnership has been drawn up. It is supported by Blackburn with Darwen borough council, Blackpool council and Lancashire county council. It estimates that, under current proposals, only 66% of premises will have superfast broadband by 2015, leaving 34% without. Needless to say, the 34% will predominantly be in the kind of rural communities that hon. Members have been describing today.

The pan-Lancashire proposal seeks to address that shortfall, and the outline proposal for £15 million of funding from the European regional development fund, which my hon. Friend the Member for Lancaster and Fleetwood (Eric Ollerenshaw) mentioned earlier, has now been submitted. Lancashire has also submitted a funding proposal for £13 million from the £530 million that the Government are investing through Broadband Delivery UK. I commend that proposal to the Minister and urge him to do even more to connect our rural communities. As many of my constituents in rural communities whose broadband speed is currently less than 1 megabit have said, the adverts for services offering 100 megabit broadband are simply a bad joke.

4.31 pm

Dr Phillip Lee (Bracknell) (Con): In the spirit of the motion, I will be as superfast as possible. First, I must draw Members' attention to my entry in the Register of Members' Interests. I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing this debate. I want to talk about the local position, concentrating on rural need and on superfast broadband need in particular. I then want to talk about the potential for satellite broadband to provide a solution for those remote homes and businesses that many hon. Members represent.

To be honest, I wonder what I am doing here today. I represent Bracknell, which is part of the Thames valley, where 10% of the world's information technology businesses are based. It is part of the golden triangle of Newbury, Reading and Bracknell. We have Oracle, Microsoft, Hewlett Packard, Dell and Fujitsu Siemens. We have so many IT companies that I do not have time to list them all. And yet, until very recently, part of my constituency only six or seven miles away still had dial-up internet. I wonder why that is.

There are many Members here today, and I imagine that their mailbags are as full of complaints about this as mine is. A village in the west of my constituency, Finchampstead, is packed with people who work in the IT sector. I knock on their doors and ask for their support, and they say, "Yes, fair enough, but how come I cannot get fast broadband? I work for an IT company, yet I come home and I cannot get a decent internet link." I have absolutely no answer for them. I have heard Opposition Members suggesting that we could not predict what was going to happen. Well, yes we could, and some of us did. The direction of travel was pretty obvious, not only for the internet but for mobile phone usage. We can argue that the capacity we need was not predicted, but we all knew that it was going to grow.

I have been convening meetings, and BT has kindly come in to see me. I am sure that all hon. Members have received BT's briefing today on its fibre optic outlay. It assured me that it is going to hit various target dates for its fibre optic plans, but those dates have now been pushed back. My constituency is in Berkshire, not in some gloriously remote part of the countryside in Cumbria or the Yorkshire dales. I am in Berkshire, and I do not have a decent internet service. Indeed, in my own home in a semi-rural area in Berkshire, I cannot really get the internet—it is utterly pointless. I have inquired about the problem and tried to work out the solution, as I am not convinced that fibre optic will be there for people.

That is why I shall now move on to deal with satellite broadband. This may seem remarkable, but it is possible to get a decent broadband service throughout the country via satellite. Every constituent that Members represent can secure broadband access at a minimum of 2 megabits a second via satellite. I am told that speeds can reach upwards of 10 or 12 megabits; there is a significant cost, but it is possible. That seems to me to be an ideal solution. It is arguably cheaper and quicker, and it is undeniably greener because it uses less energy to provide the service for sending around the data. It is from the same sort of satellite, I might add, that the information for our BlackBerrys and mobile phones comes. It also relies on the space industry.

Alun Cairns (Vale of Glamorgan) (Con): Would my hon. Friend acknowledge that satellite broadband is not as reliable as mobile broadband or fixed-line links?

Dr Lee: I accept that, although there has been an improvement, as I know from having had the privilege of seeing one of the new Ka-band satellites launched before Christmas. There is room for improvement in the efficiency and effectiveness of satellites, but the space industry has plenty of experience and evidence of those developments. By the end of this Parliament, about 300,000 links will be possible for broadband via satellite. That is quite a few, and I am sure that it covers quite a few of the homes and businesses that my hon. Friends represent. Broadband Delivery UK estimates that about 2 million businesses and homes do not have good enough broadband. I am one of them and so are many people living in the west of my constituency and elsewhere.

My final point about the space industry is that it is successful—a £7.5 billion industry annually, employing more than 80,000 people. The companies that provide the broadband service do so not only here, but sell their services abroad. They sell these services, some of them to 50 or 60 countries abroad, bringing income into this country. In the process of providing a broadband service that we all know is needed for this country, we will also be able to export, which is fantastic in itself.

As my hon. Friend the Member for Penrith and The Border said, this is a no-brainer. There will be a combination of solutions to provide broadband for everybody. It will include wireless and mobile, and fibre optic, but I suggest that for the difficult-to-reach places, space provides the solution. We are fantastic at space. We are already providing solutions for broadband in that way, so let us provide some more.

Ultimately, infrastructure matters. Reference has been made to the visionaries of the Victorian age who brought us trains. However, one mistake was made during that period. If my British social and economic history serves me well, we decided to go with Stephenson's gauge for rail, instead of Brunel's. Unfortunately, my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) has now left the Chamber, but an analogy can be drawn here: Brunel had a wider gauge, so we could have gone faster with our trains. We are now struggling to provide even faster trains; if we had gone with Brunel, we would have had them. I suggest that we adopt exactly the same approach to broadband. Let us not have a narrow vision, but a broad one. Let us have a system that provides the very best broadband for all our constituents.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Nigel Evans): If everybody sticks to about five minutes, everybody should be able to contribute to the debate.

4.39 pm

Andrew Bingham (High Peak) (Con): I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing this debate, which elicits considerable interest. I shall speak mainly about rural needs. My constituency is more rural than most, with the possible exception of those in Cumbria. My residents include people such as Andrew Byford who lives over the Snake pass—those who have been through High Peak will know the area—and whose internet connection is so poor that it is not worth having. He shares that problem with many hill farmers in High Peak. Mention has already been made of the number of forms that farmers must fill in, and they have to fill them in online. Hill farmers are having a tough time at the moment, and that is making it tougher. We could argue another time about the number of forms that they are having to fill in, but the point I am making now is that they are trying to do it using internet connections that are completely unworkable. They are having to drive dozens of miles to find a connection that will enable them to fill in their forms.

I know from my experience many years ago, when we set up our business, that locating a business is governed by various criteria. Thirty years ago, one of them was the STD code. I risk being intervened on at this point, but I used to have a very good knowledge of STD codes throughout the country, because I knew where companies were. The hon. Member for Barrow and Furness (John Woodcock) has left the Chamber, but I happen to know that the code for that area is 01229. [HON. MEMBERS: "Trainspotter!"] I am, yes.

People setting up businesses took STD codes into account because they knew that their customers would look at the code and say, "I know where that is: it is local." Now, however, one of the most important factors for such people—and, for many of those running new-style businesses, the most important—is the speed of their internet connections. If the connection in an area is not good, they will not locate their businesses there. As a result, new businesses will be set up in urban rather than rural locations, which will widen the urban-rural divide.

It is harder for the existing rural businesses to compete when they are competing against urban businesses with faster internet connections. That is not only discouraging those starting new businesses from entering rural areas but is making it harder for those who are already in such areas to survive, and making it more likely that they will move out. We all have our difficulties in rural towns and villages, such as the closing of shops, and if people move out, that rolls on. It is the law of unintended consequences.

Sir Alan Beith (Berwick-upon-Tweed) (LD): I do not know whether the hon. Gentleman experiences the same as I do in Northumberland, where one of the best sources of growth for rural areas is the setting up of small businesses in relatively remote locations, but where those who set up businesses in the hope of being able to use the internet are now being out-competed by people with faster internet services.

Andrew Bingham: I could not agree more. Small businesses are my bag. I would describe them as the engine room of the country. New businesses can be set up anywhere now because the STD code does not matter any more, but we are hampering them by the lack of internet connection and the slow, unreliable broadband. My constituency contains a huge number of quarries. When limestone cannot be dug in Miles Platting, it has to be dug in Derbyshire, in High Peak. The quarrying companies are struggling because of the internet connection, but they cannot move. We need to help those businesses, which employ a great many people.

Some local companies might wish to adopt a more internet-based marketing strategy, but the lack of connection restricts them from selling online. That is another reason for them to move to urban areas. If businesses move to urban areas, will the people who live locally move? They are more likely to commute, which will increase travel on the roads and rails and hence increase carbon emissions. The knock-on effects will go on and on.

Duncan Hames: I am delighted that the hon. Gentleman has mentioned the reduction in carbon reductions that results from a decent internet infrastructure. Earlier in the week, he may have heard Transport Ministers say in the House that one of the few reasons we are able to cope with the present capacity constraints on our transport infrastructure is the fact that more people work from home, thus reducing their dependence on travel. The internet enables them to do their work at home rather than incurring huge amounts of time, cost and indeed pollution by travelling.

Andrew Bingham: That is true. Good internet connections increase the ability to work from home, thus reducing travel requirements and carbon emissions.

Access to public services is increasingly online, which also disadvantages rural residents. When I send out my electronic MP's e-mail shot, I have to upload low-resolution pictures because I know that it will take local people a long time to download a high-resolution picture. I do not want the people of High Peak to wait for a long time to see a full picture of me.

The Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport (Mr Edward Vaizey): It will look better in low resolution.

Andrew Bingham: That might be true, but I prefer to give people the option of seeing it in high resolution.

Research has also been done on the education of our children. The GCSE exam results of children who are digitally included—I think that is the phrase that is used—are 25% better than the results of those who are not. The people in the remote villages of High Peak and similar rural areas do not have that advantage, so that is a further disadvantage they face. I cannot over-emphasise the importance of this subject to the future of the country, our children and our businesses.

I welcome the Government's stated intention and the money they are putting into this endeavour, and I refer the Minister to the letter I wrote to him on 25 March regarding Derbyshire county council's bid for the next wave of funding for digital roll-out. I hope he will acknowledge that, and I also hope the bid is successful.

He has momentarily moved from his place. *[Interruption.]* Yes, I am sure he is right behind me, in every sense of that term.

Previously when people set up businesses, they had to install things called utilities: gas, electricity and water. In the 21st century, there are four utilities, because, in my view, broadband is the fourth utility as it is vital that businesses have it. That is why we need to roll it out to rural areas such as High Peak and Cumbria, in order to give our communities a chance to survive in what is a difficult world and to help people remain in their villages and to build and sustain their communities emotionally, socially and economically.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Nigel Evans): Order. To enable as many Members as possible to contribute, I am now reducing the time limit to five minutes.

4.46 pm

Julian Smith (Skipton and Ripon) (Con): I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing the debate. We represent two of the largest constituencies in England. Mine covers 900 square miles, and his is about twice as large, I think. As many Members have said, my hon. Friend is leading the way on this issue, and I would also like briefly to pay tribute to his office staff—to Louis Mosley and the other members of the team—who are assisting him in leading the way.

Like my hon. Friend's constituency, my constituency has become the test bed for one of the superfast broadband pilots, which is fantastic news. The procurement process began last week, and we hope that many major telecommunications companies will come forward and start bidding so that we can deliver on this project over the next couple of years. The aim is to address the major issue for north Yorkshire, which is the need to sort out, once and for all, the digital gap that is damaging businesses and communities throughout our county. As my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones) mentioned, 30% of the county is classed as having low-speed broadband, which is having a massive effect on individuals, businesses and communities.

Copying my hon. Friend the Member for Penrith and The Border, my Yorkshire colleagues and I recently held a conference. Talking of copying, I advise anyone who is interested in this issue to copy all my hon. Friend's initiatives, as he has done some great stuff. We copied his conference idea in north Yorkshire, and hundreds of people from all walks of life came along and talked about the problems they are facing.

The biggest problem is an economic one. Unless we address that through market intervention, there will be a downward economic spiral in rural areas, because businesses will begin to move out and there will be no incentive for them to move back in again. The north Yorkshire pilot cannot come early enough, therefore.

The issue is not just to do with businesses, however. As we have heard, there is general frustration in all walks of life: there is huge frustration about housing becoming less marketable because of "not spots" and low speeds, and about whole communities of people, and their schools and other organisations, getting fewer deals online. Apparently, people lose out by £500 or £600 a year if they cannot get online to take advantage of the internet shopping bargains.

For all the Government have done for us on this issue, communities and villages must play their parts. As many Members have said, communities throughout England are coming together, and in Skipton and Ripon we have seen some great examples. In Darley, a beautiful village in Nidderdale, many people have come together and shown that there is demand, showing those who hope to invest in our procurement process that there is money to be made—Sue Welch and David Holland deserve mention. Across the Pennines, in Appletreewick, Adrian Precious did something similar. They got their communities together and showed that if we link the communities, that presents a real proposition for the private sector.

The £500 million fund and the Government's universal broadband commitment are grabbing the attention of my constituents and of North Yorkshire. Although I am very positive about the work the Government have done, there is a slight question mark over mobile provision. The forthcoming auction of the 800 MHz spectrum is equally key for our rural communities and if we consider the poor auction process for 3G and what happened then, we can see that there is a tremendous amount to learn.

I have a number of questions for the Minister, but I have only 10 seconds left. Will he consider some different ways of taxing—

Mr Deputy Speaker (Mr Nigel Evans): Order. I call Mr David Nuttall.

4.51 pm

Mr David Nuttall (Bury North) (Con): Saved by the bell there, Minister.

People could be forgiven for thinking that a constituency such as mine in Bury North, which ostensibly lies within the Greater Manchester conurbation, would not be affected in any way by the problems that are the subject of the debate. When people think of Manchester, they inevitably think of the vibrant city centre or perhaps of the two football teams that were so much in the media and the spotlight at the weekend. Greater Manchester, however, is much more than just a city. It is made up of 10 local authority areas, of which Bury is one, and Bury North lies on the very northern edge of the Greater Manchester conurbation. It is in reality in parts much more rural Lancashire than the city of Manchester and I want briefly to highlight the effect of that dichotomy this afternoon.

In addition to the principal town of Bury, there are several rural villages in the constituency. Although I readily accept that they are not quite as far from an urban centre as some of the villages in, let us say, the constituency of my hon. Friend the Member for Penrith and The Border (Rory Stewart), whom I warmly congratulate on securing this timely debate, when it comes to the problem of having a workable broadband connection they might as well be. It is a case of so near, yet so far.

I am greatly indebted to the Bury rural inequalities forum for its work in providing me with concrete examples of the problems that face individuals and businesses in

[Mr David Nuttall]

those small rural villages. For example, in Nangreaves, the broadband speed is, on average, 500 kilobits per second, which is typical, provided by a BT line some 5 miles from an exchange. The same applies to all the villages, such as Holcombe and Hawkshaw.

Let me give one example in particular. Affetside is a small village with fewer than 250 residents located on the edge of the west Pennine moors. It lies on the old Roman road that ran north between Manchester and Ribchester. The village has only one telephone infrastructure provider, British Telecom, and because of its relatively isolated nature no other telephone service providers have sought to provide any coverage in the area. The lack of competition unsurprisingly results in higher costs than would be expected elsewhere. I am informed that the existing aluminium cable is believed to have been installed 40 years ago, in the 1970s, when high copper prices forced the switch to aluminium. Whatever the cable, current broadband speeds are typically in the region of just 0.7 to 1 megabit per second, but speeds vary greatly and reliability is a major problem. I should add that rather than improving, the problem is getting worse as more and more people are forced to do business online and access services online. The demand on that decades-old cable is increasing and the quality of people's internet connections is gradually reducing.

The Government's commitment to providing everyone with broadband access at a speed of 2 megabits per second by the end of this Parliament is to be welcomed, but it is only a start and will not solve the problem. By 2015, the rest of the world will have moved on and the digital divide that exists between town and country will continue. The answer is not to solve today's problem tomorrow with today's solution, but to look to the future and ensure that when lines are upgraded they are fully future-proofed. Otherwise, I fear that by the time anything actually happens to help my constituents, it will be too late and they will continue to be stuck in the slow lane of broadband internet access.

4.56 pm

Mr Mark Williams (Ceredigion) (LD): It is a privilege to speak in this afternoon's debate, but I arrived with a tinge of anxiety as I suddenly realised that I had not signed the motion tabled by the hon. Member for Penrith and The Border (Rory Stewart). I think the point has been illustrated that many outside the Chamber are totally in agreement with what he is trying to achieve this afternoon, particularly in relation to the auction.

In Ceredigion, we have 600 family farms, 147 villages and hamlets and one of the highest proportions of small businesses per head of population anywhere in the United Kingdom. This sounds a little like a maiden speech and I have said these things before but the principles of entitlement are the same for those communities as they are for communities anywhere else. In Ceredigion 20 years ago the debate was about retaining a railway line from Shrewsbury to Aberystwyth, but today the issue is about broadband, mobile coverage and people's entitlement. We are past the point at which people in rural communities will stoically make do and now need to make arrangements to have access to broadband; there is an entitlement to have that in those communities.

I want to associate myself with a point that has been made by many hon. Members this afternoon—the sense of frustration felt by constituents who hear debate in England and other parts of the UK about superfast broadband when they lack any access whatever. I think of the farmer with a haulage company in the village of Trefenter on the edge of the Cambrian mountains who was desperate to expand his business but had to rely on incredibly slow dial-up. We were able to involve a satellite company and ensure that a pilot satellite scheme helped him out in order to nurture and grow his business. As has been pointed out many times in this debate, this is about economic growth and building a vibrant—Welsh, in our case—economy. That is why this debate is so important.

This is also about bridging gaps between people. In the last Parliament, when the Select Committee on Welsh Affairs, of which I was and am a member, looked at broadband, we also looked at the social and age divides between people. When a rural bank closes, those who are elderly and who are not switched on or who do not have the motivation to access broadband will be severely disadvantaged in a way that, perhaps, younger people in urban areas have not been, but we lack the basic infrastructure to bridge that gap.

The National Farmers Union of Wales, NFU Cymru, has talked about the importance of broadband to farming businesses—a point that the hon. Member for High Peak (Andrew Bingham) has made. It is important for supporting business-to-customer, business-to-business and business-to-government communications, as well as for providing farmers with opportunities to market their products. There are also the added expectations from the previous Government, and in some cases the current Government, for business to be conducted online. The Government's announcement in 2010 of the compulsory electronic completion of VAT returns for farm businesses with a turnover of more than £100,000 was greeted with great anger in parts of rural Britain because that objective is simply impossible to achieve. Now there is the roll-out of online completion of single application forms by 2016. That cannot be realised until these targets on broadband coverage are met.

Mobile reception is another critical issue in my constituency. I cannot travel from Aberystwyth in the north of Ceredigion to Cardigan in the south and have a phone call at the same time—it would be a lengthy call, as it is a 40-mile route on a bad road—because it is impossible to have a conversation without numerous stops and starts. That is something that we in rural areas have to put up with, while people elsewhere take mobile reception for granted. My constituents cannot ring their MP on his mobile phone and expect an answer if he is in his house—I can receive a phone call on my mobile only if I am standing in the middle of the road outside my house. Those are the frustrations that many people experience.

There has been good progress in Wales. There were good attempts by the Welsh Assembly Government, who were of a different political party, to identify pilot schemes. Two communities in Ceredigion—Cilcennin and Beulah—have benefited from such a pilot scheme. Although I am frustrated that Wales is not included in the pilots that the Government have announced for superfast broadband, I take comfort from the fact that some of the areas identified for the pilots, such as Herefordshire and the highlands and islands, are rural, which I hope will allow Wales to learn from the experiences. For me, this debate is simply about entitlement. It is a costly debate about entitlement, but it is an entitlement that we must not forget.

5.1 pm

Alun Cairns (Vale of Glamorgan) (Con): It is a pleasure to follow the hon. Member for Ceredigion (Mr Williams). I want to pay particular tribute to my hon. Friend the Member for Penrith and The Border (Rory Stewart) for the work he has done in preparing for the debate and encouraging Members to become fully involved. Many Members have highlighted the problems caused by the lack of broadband in their communities. I also think that there is an obligation on us to offer some solutions and encourage the Minister in his negotiations with the Treasury. I will move on to that later and how we can come up with some answers to the problems.

I am very pleased that broadband has been considered in the debate both as mobile broadband and as fixed-line broadband, because a short time ago fixed-line was the only way we considered it when discussing it. Ofcom recently reported that there had been a 2,200% increase in mobile data traffic in 2009, and I suspect that there has been a significant increase since then, with new technology being used both commercially and as a result of lifestyle changes.

There is great variance in the availability across the constituencies we have heard about today, particularly in rural areas but also in some urban areas. In my constituency, for example, much of Barry has the benefit of superfast broadband, which runs exceptionally well, but there are pockets within that urban environment that do not. However, some rural communities, such as Colwinston and Ystradowen, have almost no coverage at all. That is a tragedy for the people living in those communities and for the young people as they grow up.

Many points have already been made about sustainability, prosperity and the fact that home working and flexible working are a way of life for many people these days. Many people would like to make them a way of life but cannot do so because of the lack of broadband in their communities. There is also a social cost that we must recognise, as some Members have mentioned.

With regard to mobile broadband, 3G is the method that most of us would use. We need to recognise the differences between England and Wales in that respect. We do not have data for my constituency, but I can offer data on the differences between England and Wales. For example, there is 79% coverage in Wales for 3G, but 98% in England. For 2G, there is 89% coverage in Wales, but 99% coverage in England. Although people might assume that the technology has moved on, 2G is still exceptionally important, because last January Ofcom decided to lift the restrictions on the use of 3G services on the 2G network. That decision favours only two operators, and I think that the solution to many of these problems must be competition. Unless there is fair competition for all the operators, we will obviously not get the swift solutions that we would like. I hope that when the Minister responds he will say what he wants to do to correct that imbalance.

Much of the solution to the problem will be the 2012 auction. The 800 MHz spectrum will be important, because it will travel so much further, and the £530 million that the Minister and the Government are making available to try to close the "not spots" is welcome, but we need to recognise that there will be limits on what that £530 million can achieve. Bearing in mind the tight financial climate, I have no doubt that there were tough negotiations with the Treasury to secure that money in order to try to deliver a universal service obligation by 2015. I have no doubt also that the Treasury will have one eye—if not one eye and one hand—on the 2012 auction, so we need to support the Minister to ensure that in his discussions with the Treasury his hand is as strong as it can be.

I remember debating eight years ago the luxury of 256 kilobits, and if anyone had 512 kilobits that was absolutely extraordinary. The universal service of 2 megabits is welcome, but let us not forget that this is a fast-moving dynamic.

5.6 pm

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): I, too, congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart), but I want to go a little further and talk about the Government's moral and social obligations, aside from their economic ones, in this context.

I hesitate to mention the big society so early in my speech, but it was invented in rural Britain, and rural Britain is finding it increasingly difficult to deliver and sustain the big society as it falls behind the rest of the country and, indeed, the rest of the world when it comes to broadband and mobile coverage.

I want to restrict my comments to mobile phone coverage, as far as we can distinguish it from the rest of the debate. We have heard from a number of people how the UK is not where it should be, and from the previous two hon. Members how Wales is not where it could be. It is interesting to hear examples from Norway, France, the United States and recent ones from Port Stanley of people's ability to communicate with one another by mobile phone, because I in my office in Whitland in Carmarthenshire could not communicate with the hon. Member for Ceredigion (Mr Williams) just up the road, were we to wish to speak and were he to seek my advice on the coalition's performance, thus denying us both a golden opportunity to advance our careers. There is, however, a serious social and economic problem.

We have already been told, quite rightly, about the effect on small and medium-sized businesses in rural Britain, but we have not touched on the plight of the elderly in the more lonely parts of our rural communities; on the work of the charities and carers who look after the elderly and vulnerable in those areas, in often hostile geographic and climatic conditions; or on the plight of young people in rural areas, who simply want to be young people in rural areas in a 21st-century context. It is a great source of gloom to me that the babysitting community of Lampeter Velfrey has discovered that there is no mobile phone coverage in the Hart household, the consequence of which is that I do not go out anything like as much as I used to because my babysitters cannot text their friends when they are in my house. If there is a more serious reason for the Minister to address the matter urgently, I am not sure what it is.

To be serious for a moment, however, I want to focus on the impact of the problem on the police and, in particular, on Dyfed Powys police and the mobile ID

[Simon Hart]

project known as Lantern, involving the piece of kit they carry around which enables them to take fingerprints while in remote areas, and which relies on the mobile phone network. In our area, the police were subject to two carriers but that was insufficient, so the system did not work as well for our police force as it might have, through no fault of their own. They were able to expand the number of carriers and thus improve the coverage, but unfortunately the Metropolitan police have led a tender process resulting in a UK-wide contract and the tender being awarded to the company that Dyfed Powys rejected on the basis that its system did not work in our area.

We have to be a bit careful about a one-size-fits-all solution based on so-called supreme technological solutions which do not necessarily apply to the wilder and more lonely parts of the country, particularly west Wales. This has an effect on the police's ability to deliver on its obligations to the community, which is very relevant given the challenges that forces are facing, and that in turn leads to a compromised confidence on the part of the rural community as regards its personal safety and its ability to trust the police to deliver a first-class service, as I know they do.

I welcome the combination of effort by Ofcom and the Welsh Assembly Government. I think we are now instructed to call them the Welsh Government, but for the purposes of clarity they will remain the Welsh Assembly Government, certainly in my house. There is much to be cheerful about because, as other hon. Members have said, this is a golden opportunity—perhaps the only golden opportunity—for the Government to show their commitment to rural communities: not only their economic but social and moral commitment. We have heard for many years—and we believe it, I would suggest—that this commitment is real. There is no greater opportunity than now for them to cement that commitment and to prove to rural Britain that they believe it is a force for good.

5.11 pm

Mel Stride (Central Devon) (Con): Like all speakers, I congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart) on securing this debate, which is extremely important, particularly for our rural communities. Many hon. Members have stressed the massive growth in the importance of the internet. Indeed, broadband was introduced in this country as recently as 1990, and yet we have seen a huge expansion in its impact on how we interact with each other, how we transact business, and our ability to interface with public services, and it has spawned new markets and changed existing markets beyond recognition. As the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) put it, it has gone from being peripheral to our day-to-day existence to being absolutely essential. Despite its importance, however, as the hon. Member for Chippenham (Duncan Hames) pointed out, there never has been, and still is not, a universal right to any particular level of service. By contrast, that is something that we see in the context of our postal service in regard to the universal service obligation.

The hon. Member for Barrow and Furness (John Woodcock) defended the previous Government's record on rolling out internet coverage. The situation has been very poor. Internationally, we are not starting from a good position. In a study by Oxford university sponsored by Cisco Systems, published as recently as October 2010, we were ranked 18th in the world in terms of broadband service, behind countries such as South Korea, Japan, Sweden and Denmark. Being 18th may sound about average or fair to middling, but it should not disguise the fact that there is a huge chasm between what we are achieving at 18th and what the top group of countries are achieving. The report states that the UK is "comfortably enjoying today's applications"

but the top 14 are

> "ready for the online applications of tomorrow."

That is the point. The general quality of internet coverage is improving worldwide, and we have a lot of catching up to do, particularly in our rural areas, where, too often, we are disconnected not only in terms of the digital economy but our physical infrastructure.

I have several villages in my rural constituency where people are very concerned about the coverage that they are receiving. Exminster is a village close to Exeter where the parish council has undertaken extensive surveys of the kinds of broadband speeds that are being achieved locally, which are very ineffective. As many Members have said, the speeds that are achieved are often significantly below the advertised speeds. In one area of Exminster, BT advertises a download speed of 7.5 Mbps, but 25% of residents are achieving less than 2 Mbps. That is hardly surprising given that the Commission for Rural Communities tells us that, as at April 2010, about 60% of households in urban areas have cable whereas the figure is as low as just 1.5% in our villages and hamlets. According to the Library, 33% of my constituents have low broadband speeds. That compares to just 1.8% in Hammersmith in London.

We know that the problem is the cost of reaching rural consumers. The answer must be to encourage unrestricted competition, but to recognise the vital disconnection between what maximises supplier profits and what delivers the optimum social and economic benefits to our communities and the country as a whole. That is why I strongly welcome the motion.

It is important that the Minister and the Government consider as many innovative ways of delivering internet as they can. Virgin Media has looked at using telegraph poles to loop cable through. An important village in the west of my constituency, Northlew, has done a sterling job in using microwave WiMax broadband. We need to look at the sharing of utilities between utility companies, such as BT's ducts and poles. I know that the Department for Business, Innovation and Skills has been in discussions with business about that. I would like an update on that from the Minister in his winding-up speech. I echo the comments of my hon. Friend the Member for Bracknell (Dr Lee) about wireless satellite broadband. We need to have a patchwork of solutions, and that can be achieved only by doing things locally. That is why I hope that the local enterprise partnership bid in my area for £40 million is taken seriously. It will send just the right signal that rural communities in my area are not forgotten.

5.16 pm

Caroline Nokes (Romsey and Southampton North) (Con): I, too, congratulate my hon. Friend the Member for Penrith and The Border (Rory Stewart).

Several Members have mentioned an urban-rural divide. It may surprise people that I want to contribute on this subject given that I come from Romsey and Southampton North. I do not see this as an urban-rural divide. Parts of our cities have very slow broadband speeds. There is also a rural-rural divide. I was contacted shortly after last year's general election by a constituent who lives in the same village as me. I thought that we were enjoying good broadband speeds, only to be informed that he was suffering from download speeds of less than 2 megabits per second. A couple of weeks later, I visited a business in the village and was astonished to hear the familiar binging and bonging of dial-up, which is still being used in the 21st century. That was literally four or five miles from the end of the M27 and just outside Southampton.

I argue that it is the sheer inconsistency of coverage that causes some of the greatest frustration. Neighbours on different sides of the street get inconsistent coverage. Part of the village in which I live gets its connection from the constituency of my hon. Friend the Member for New Forest East (Dr Lewis), who was here earlier, but those who get it from the Wellow exchange get a much faster service.

The Prime Minister referred to this matter recently and indicated that he regards rural broadband as vital. There are many reasons why it is vital. I would like to highlight the increase in working from home and of flexible working. We have heard about the environmental benefits for people who can access decent download speeds and work comfortably and conveniently from home. There are also educational benefits. I was fortunate to attend the launch of a wonderful new IT suite at Wherwell primary school in the very north of my constituency, which had fantastic facilities. However, during the local election campaign a few weeks later, I encountered a child from that school who was laughing at me for trying to use a smartphone in the village, because it was ridiculous that any grown-up could possibly think that that would ever be possible.

I am disappointed to learn that Britain is only 26th in the world for average connection speeds and that our average speeds are slower than in Romania and Latvia. That is an embarrassment and we must address it urgently. As fuel prices have increased, we have all been contacted by myriad constituents who are concerned about the increase in fuel prices. Many of them want the convenience of being able to work from home and want to do their shopping from home. It is cheaper for people to have Mr Tesco deliver their shopping and pay him a fiver for the privilege than to drive to the local supermarket. In many rural areas, the local supermarket really is not that convenient. Of course, there is also online banking.

I will briefly draw on my experience of working for a small charitable organisation in Hampshire. It was not in rural Hampshire, but in a town. We were keen to deliver more online services to our members and donors, and to those who wished to support the work of the charity. One of our biggest frustrations was that when we wanted to use our banking services, the connection, even in a town, was far too slow. It was very difficult for the website to cope with people's membership subscriptions.

I am sure the Minister will be relieved to hear that I do not believe the solution lies solely in the hands of the Government. We have to call upon every part of the industry, upon other organisations and upon local government to facilitate what is needed. Hampshire county council has carried out an enormous survey with Ipsos MORI to find out what demand there is for high-speed broadband in the county. Through its bid to Broadband Delivery UK, it is seeking to open up the public services network and co-operate with a wide range of internet service providers, to improve the availability and speed of connection across the county dramatically.

I know that now is the not the time to provide an advertisement to the Minister for the unique selling point of Hampshire's bid, although some of my colleagues have given such advertisements. Suffice it to say that it is very good, and I hope he will look upon it favourably. Its objectives are straightforward. It brings real hope to my constituents who want nothing more radical than to be able to do their shopping or banking online from home or Skype their grandchildren in Australia. In a 21st century Hampshire village, that really did not ought to be impossible.

5.21 pm

Anne Marie Morris (Newton Abbot) (Con): I am conscious of the time, so I will endeavour to keep my contribution short.

I do not think Ofcom or the Minister can be in any doubt about how passionate we all feel about the advent of superfast broadband. I pay tribute to my hon. Friend the Member for Penrith and The Border (Rory Stewart), as well as to my hon. Friend the Member for Skipton and Ripon (Julian Smith), with whom I work closely on this and a number of other projects. They both have energy about a vision that we all share.

The Government deserve some praise, although they have taken a bit of a beating today, because they have committed £530 million, a not insignificant figure. I am pleased to see that it is not just the Government who are involved, because I understand that the BBC has committed £150 million for four consecutive years. That shows its conviction that superfast broadband is the future.

I wish to follow on from the comments of my hon. Friend the Member for Central Devon (Mel Stride) about the importance of Devon. It is the largest county in the country by size, and 20% of our community live in very poor rural areas. Rural broadband is therefore critical for us. To compound our problem, we have a very weak strategic road and rail infrastructure. The M5 ends at Exeter and our A roads are not great, and the concept of having electrified railway lines any time soon is sadly a dream, not a reality. Our fight is to get diesel rolling stock.

Many people in our communities live in an isolated environment, and we have the highest number of people in receipt of the state old-age pension of any region. For them, communication and access to any form of entertainment is extremely difficult without broadband. Two thirds of our businesses have fewer than five employees and a turnover of less than £250,000, and broadband is crucial for them. Home working and the ability to communicate with clients and customers are key, and that cannot be done effectively without some form of mobile or internet connectivity. As was pointed out earlier, Government compliance, such as VAT returns, increasingly has to be carried out online. If we are really committed to improving the economy in rural areas, that must be a reason for having broadband.

[Anne Marie Morris]

I am pleased that there are two of us in the Chamber supporting the Heart of the South West local enterprise partnership's bid for the second wave of pilots. It would be nice to think that the weight of numbers might help us to persuade the Minister and others that we have a comprehensive bid that is well supported across Devon and Somerset, and that it will make a huge difference to people living in both counties.

The challenge for the Government is to maximise, dare I say it, the bang they get for their buck. We have to make the best use of our infrastructure to maximise choice. Rural infrastructure is expensive. As my hon. Friend the Member for Central Devon explained, BT provides access through poles and ducts, and Ofcom has said that that must be on fair and reasonable terms. As I understand it, what is being offered at the moment is not entirely in accordance with that. Ofcom is going to take up the cudgels, and I hope it does so sooner rather than later. Otherwise, implementation will be a challenge.

As has also been mentioned, innovative partnerships with other utility companies are clearly important—we should not focus only on what BT and other internet and telecoms providers can offer. We need to think more broadly about what we do. Government can assist with that by simplifying the regulatory regime, particularly on planning.

Earlier, we heard a plea for the Government to consider satellite. I agree, because this debate should be about not only where we are now, but the future. I suspect that one reason the Government have a target of only 2 megabits per second is that the world moves on. By 2015, we could see a very different number. We need research on that, and it would be great if the Government provided tax support by increasing R and D credits—I am pleased with what we are doing on the corporation tax front.

Finally, I support the concept of increasing the requirement in the bid of more than 95% coverage for mobile technology, but could we add a requirement for rural or landmass coverage, rather than a requirement for population coverage? That would help the rural community. Good on the Government! Let us see broadband fly! We can do it!

5.24 pm

Tessa Munt (Wells) (LD): I should like to make just a few points and to speak for the Somerset half of that Somerset and Devon bid, which would make such a fantastic difference. Many hon. Members have made points about farmers, young people and old people, but, in my area, many who have retired to Somerset because it is such a beautiful place can stay in their town centre homes and, using broadband, can access facilities and services such as shopping deliveries.

Rural post offices also benefit from broadband. Businesses use the internet in my towns, and individuals use eBay and Amazon to sell and buy goods. In my post office, there are queues of people who want to send small parcels and envelopes containing things that people have bought, which props up our post office system.

I thank the Minister for meeting me on Monday to discuss broadband in Somerset. I pointed out to him that I am running, with the Administration Committee, an iPad trial. The iPad is fantastic when I am here in London, and completely useless when I am in Somerset, where I cannot access anything because the broadband service is so poor.

Where it works, broadband is the most fantastic thing. One area of my constituency that has a good service is Burnham and Highbridge. Burnham-on-Sea has a website—burnhamonsea.com. Some 7,000 or 8,000 people live in Burnham, but that website gets 15,000 unique visitor hits per day, and 50,000 pages are downloaded every day. That rate goes up during the summer tourist season, which is critical, because 26,000 people are employed in tourism in Somerset alone. They depend on people coming to Somerset for their holidays and knowing what they can do and what facilities they can access.

I thank the Minister for the trouble he has taken to listen to the Somerset and Devon bid, and I hope, as it is bound to do, that it brings success to our counties in business and every other sense, particularly for residents.

5.28 pm

Ian Lucas (Wrexham) (Lab): I congratulate the hon. Member for Penrith and The Border (Rory Stewart) on securing this enjoyable debate, and for putting together a formidable array of talent to present the case for their areas around the UK—we heard a brief intervention earlier from a Member from Scotland. The hon. Gentleman has established himself as an assiduous and powerful advocate of the construction of a viable broadband service because of the nature of his beautiful constituency and other rural constituencies. It was good to hear a Government Member giving high praise in the Chamber to a Mandelson, for which I am sure he is very grateful.

There is, of course, a lot of common ground in this debate. We all believe in the importance of a broadband network. The Countryside Alliance has presented evidence that a broadband network is essential to the viability of a living countryside. Development in communications is a massive opportunity for the countryside, provided that a viable broadband network is constructed.

We all accept that there is a market failure in the broadband sphere. Most accept that two thirds of the country will not be adequately provided for by the market alone and that Government action is needed to remedy that market failure. It is important to talk about some definitions if we are to make progress on the common ground that exists between the political parties. We have to be clear what we are talking about and the terminology that we are using. The first important phrase is "universal broadband". By this I mean that all should have access to broadband services. The previous Labour Government had a commitment to introduce universal broadband services, up to a speed of 2 megabits by 2012.

Until last week, the Government had assiduously avoided using the word "universal", as far as I could detect. Instead, they continued to use the formula that their aim was to introduce the best high-speed broadband in Europe by 2015. They avoided defining exactly what that would be. But last week we made some progress, because the Government made it clear—for the first time, as far as I am aware—that their target was to provide universal broadband by 2015. That is a three-year delay in the costed target introduced by the previous Labour Government. If hon. Members get complaints from constituents with no broadband provision, they should blame the Government.

That delay is very bad news, because universal broadband is hugely important. First, it is important to the private sector. Competitive businesses in our modern economy, wherever they are, must have access to the broadband network. Without it, they will be at a substantial competitive disadvantage, and that will be bad news especially for businesses in rural areas.

Duncan Hames: I note the hon. Gentleman's comments about the changed timetable. Will he tell us whether the previous Government, as recently as 12 months ago, were on track to meet that 2012 deadline?

Ian Lucas: We were on track to meet that deadline. It was costed, and the £200 million that would have been used to do that would have been taken from the same money that the current Government are using in connection with their broadband commitment. For the outside world—although not for this Government—a year is a very long time. I am not aware of any questioning by the industry of the commitment made by the Labour Government. The position was deliverable, but this Government have decided to put back that universal broadband target by three years.

Chi Onwurah: Is it not true to say that we have little or no information on the progress that has been made by this Government towards meeting their unclear and undefined target of the best broadband by 2015?

Ian Lucas: Absolutely. The Minister is always very polite in his answers to parliamentary questions, but he is also very good at drafting uninformative replies, something that I worked very hard to achieve when I was a Minister. I was not quite as good at it as he is.

The provision of universal broadband services is also very important to the public sector. Online services are a massive opportunity for government at all levels to provide better services more quickly and more efficiently. However, the Government can move in that direction only if they provide those services to everyone across the country. For example, I understand that the Government intend to move to the compulsory online registration of new companies. As the former responsible Minister, I understand the reasons—costs and efficiency—for this decision, but one can justify such a move only if there is universal broadband provision across the UK. A company with no access to the internet cannot be required by the Government to use it.

If we are to have universal broadband by 2015, what will it cost? Through parliamentary questions, I have established—I did get some information—that the cost of providing universal fibre-to-the-premises provision would be £29 billion, and that more realistically universal fibre-to-the-cabinet provision would cost £5 billion. We agree that there is a market failure and that the Government have sought to address it by setting aside the £530 million by 2015 mentioned several times today. However, we all accept that that is not enough, so we must look to the private sector for the necessary investment to bridge that investment gap.

On definitions, the Government are not just committing themselves to universal broadband; they are committing themselves to the best high-speed broadband in Europe by 2015. It will be helpful if the Minister tells us today what speed he regards as high speed for these purposes. If we are to work together for the benefit of our constituents to achieve that target, we must know what it means.

We know that insufficient public money is available to achieve the Government's goals by 2015, so let us consider the position for private investment. How is that going? Here, I regret to say, there is a problem that was referred to by a couple of Government Members, including the hon. Member for Newton Abbot (Anne Marie Morris). On 1 April the Minister received correspondence—no coincidence perhaps—in which senior executives of leading communications companies, including Fujitsu, Virgin Media, TalkTalk, Geo and Vtesse Networks, wrote that "urgent intervention" was needed to require BT to revise the pricing for the use of its infrastructure. The companies also stated that without such intervention the Broadband Delivery UK process risked a lack of vigorous competition, and as a result would fail to deliver the investment, quality, speed of roll-out, innovation and value for money that the industry was capable of delivering, and which taxpayers deserved. That is a major problem for the necessary private investment.

The communications network under Labour was extremely competitive. For example, in the past three years, competition has seen the cost of mobile broadband fall from £50 per gigabyte to less than £10 per gigabyte.

Alun Cairns: If the network was so competitive under the former Administration, why are we ranked only 26th in the world for average broadband speed?

Ian Lucas: The previous Government made massive advances in the provision of broadband services and internet services over a very long period. I am proud of our record. Had the Government stuck to the same targets, we would have achieved much more progress than has been achieved to date. I now hear from providers, and the Minister has been told in correspondence from them that without urgent intervention there will be a lack of vigorous competition in the marketplace, so what action is he taking in response to these representations?

I wish to raise one more concern with the Minister. It is now clear that responsibility for the delivery of broadband services in particular geographical areas in England is to be the responsibility of local authorities, which might create a patchwork of provision across England. Different local authorities will attach different priorities to the advancement of the network. We heard from the hon. Member for Lancaster and Fleetwood (Eric Ollerenshaw) about the issues affecting Lancashire. I was pleased to hear that the tendering process in the North Yorkshire pilot area seems to have begun, even though the pilots were announced as long ago as last October. There are particular issues when it comes to the provision of services and tender documents by local authorities. What steps will the Minister take to ensure that each local authority makes the progress needed to achieve the targets he has outlined?

I was interested to hear that Somerset and Devon are working together on their pilot project in the south-west. One of the drivers for that is the superior provision in Cornwall, which has been assisted by European funding that is unavailable in Devon. Hon. Members from Wales may be interested to know that the provision of broadband in Wales and Scotland has de facto—if not de jure—been assigned to the Welsh Assembly Government and the

[Ian Lucas]

Scottish Government respectively. Responsibility for delivering services in Wales and Scotland will essentially be dealt with at the Assembly or Scottish Parliament level. A patchwork is already developing across the UK. It is important not to lose sight of the need for a national network. We do not need a lot of small "railways" running in individual areas without their being linked together. Although having small, big society projects set up networks is appealing, there is a danger of the networks not working effectively together. There are tensions between the small and larger projects. It is important that we maintain a competitive network.

I am sorry that I have not been able to deal with the numerous contributions made today. However, I am sure that the Minister has heard the strength of feeling from Government and Opposition Members, and that he will use the video in his negotiations with the Treasury, because there will come a time when some of the bids being made now will be turned down, and that is when government starts to get difficult. Saying yes is easy; saying no is always more challenging.

5.43 pm

The Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport (Mr Edward Vaizey): I am grateful for the chance to respond to this debate, which was called on behalf of the Backbench Business Committee by my hon. Friend the Member for Penrith and The Border (Rory Stewart). He has been showered with enough praise in this debate, but let me add to the oleaginous tone with which we all approach him. For one so young and so new to this House, his ability to gauge the issues that concern the House is second to none. His relentless focus on mobile broadband is also severely disrupting my life. I have gone up to Penrith and The Border for a superfast broadband summit that even had members of the United States Administration attending. This is the second broadband debate that my hon. Friend has called, forcing me—I know that hon. Members will share my disappointment at this—to decline my invitation to the European Commission's Culture Council in Brussels today.

I do not necessarily want to respond to every speech today; suffice to say that almost 20 Back Benchers contributed to this debate, all very effectively, raising issues and concerns specific to their constituencies. I thought that the shrewdest of all was my hon. Friend the Member for Carmarthen West and South Pembrokeshire (Simon Hart), who pointed out that the lack of superfast mobile broadband was preventing him from hiring babysitters.

My right hon. Friend the Secretary of State for Culture, Olympics, Media and Sport announced in his speech at the national digital conference last week that our ambition was to see superfast broadband coverage of 90% of the population in all areas of the country. To respond to the excellent speech by the hon. Member for Wrexham (Ian Lucas), I must say that that is why last week I announced my ambition of universal superfast broadband in this country, starting with the clear aim of making sure that 90% of the UK can get at least 25 megabits per second by 2015. I have now thrown down a bone for the hon. Gentleman, so that he can table a series of parliamentary questions to elicit further details on that. In defence of the Government's position, we mentioned our commitment to the universal service of 2 megabits by 2015 in our excellent publication "Britain's superfast broadband future", which was published in December. Specifically, it was mentioned in paragraph 8.

When my hon. Friend the Member for Penrith and The Border started speaking, it felt like an Oscar acceptance speech because he had so many people to thank. The only people he did not thank were his family, which I was surprised about. I am pleased to see that his own team of officials is watching from the Gallery. I know that the whole House thanks them for their hard work. It will come as no surprise to learn that one of them is a constituent of mine, which is why she is so talented and able to undertake this very complicated work.

Ian Mearns (Gateshead) (Lab): The Minister mentioned superfast broadband and 2 megabits. What is the relationship between 2 megabits and superfast broadband?

Mr Vaizey: The reference to 2 megabits relates to the universal commitment. The reference to superfast broadband relates to providing as many as 90% of the population with superfast broadband by 2015.

Alun Cairns: Will the Minister give way?

Mr Vaizey: If the hon. Lady will wait for one second, I want to use this opportunity—*[Laughter.]* I want to echo my hon. Friend the Member for Penrith and The Border—it is quite clear that most hon. Members want to be like him—by thanking my own officials, Mark Swarbrick and Simon Towler, who have done an astonishing amount of work on this issue. Such is their dedication that they even took the photographs for the superfast broadband document that we published in December.

The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) will be interested to hear that I want to pay tribute not only to the work of Broadband Delivery UK, which was set up by the previous Government and comprises an excellent team of dedicated officials from the private and public sectors, but to the telecoms regulator, Ofcom. I know that we will be discussing the auction in a matter of moments. Ofcom is very ably led by Ed Richards, who also has a fine team. I have embarrassed the hon. Lady on many occasions, but the fact that she could say, "I'm from Ofcom" was a stamp of great quality, and she now brings adornment to the House. Anyway, I seem to have persuaded her not to intervene on me.

On the 25-megabit target, our target of having the best superfast broadband in Europe is of course dependent on a range of measures, including choice, coverage, speed and take-up. Competition is also very important. It is all very well for an hon. Member to mention that Uzbekistan has better coverage than the UK—that sounds like a bit of a slight to Uzbekistan, although I am sure that that was unintended—but it is worth remembering that Uzbekistan has a population of 5 million people, and effectively one mobile broadband provider. If we want to encourage competition, which will encourage choice, innovation and low cost, we will also have to acknowledge that the Government cannot direct and demand how broadband is rolled out.

The hon. Member for Wrexham pointed out that we expect two thirds of the country to be covered by private sector investment, with BT and Virgin clearly in the lead, along with some small network operators. As so many hon. Members were keen to praise far-flung places all over the world for their broadband, let me be the champion of British business and British broadband providers. Every three months, BT puts down a fibre network equivalent to that of Singapore. BT, a British company, is rolling out broadband at twice the pace of Deutsche Telekom, twice the pace of AT&T and twice the pace of Verizon. That is something that we should be very proud of. BT recently announced that it expects to offer an 80 megabit service next year, while Virgin already offers a 100 megabit service. I do not want to sound too patriotic because we also welcome the intervention of Fujitsu, which has plans to bring fibre connections to 5 million rural homes.

The key to this debate is supporting those areas where the market will not deliver. We have already announced four pilot areas, including the one represented by my hon. Friend the Member for Penrith and The Border—it was more than life was worth not to have his constituency as one of the pilot areas, although it was, of course, I emphasise, an independent decision—along with North Yorkshire, Herefordshire and the highlands and islands. *[Interruption.]* Well, we all know about the discussion of Herefordshire and Wales that took place in the House a few months ago.

We will announce the next wave of pilots next week. As the hon. Member for Wrexham pointed out, this is indeed where government gets difficult, because we will have to say no to a few. Let me offer a crumb of comfort to those who may get bad news next week. From now on, we shall be working on a first-come, first-served basis. We will not announce a third and fourth wave; any local authority whose bid is not accepted can sit down with Broadband Delivery UK, work through the bid to find out where the gaps are and then come forward again when it is ready. It will be a rolling process. We also recently announced the creation of a rural community broadband fund, which is expected to be worth up to an additional £20 million—above and beyond the £530 million we have made available.

I am conscious of time and I am anxious to talk about mobile voice and mobile broadband. I understand the issue. In rural Oxfordshire, in the village close to Wantage where I live, I have to stand in the middle of the road to get mobile coverage. When I was candidate before the 2005 election, simply getting my constituents connected to the internet was a high priority for me. I pay tribute to the work of community broadband groups, which many hon. Members have mentioned, as their ability to galvanise enthusiasm and put forward solutions is important, encouraging other operators to take an interest and see that provision of rural broadband can be profitable.

Broadband Delivery UK is taking a technologically neutral approach to solutions; mobile broadband is a potential solution for hard-to-reach areas. We want to see partnerships between fixed, mobile, wireless and satellite operators to compete for the available funds. I emphasise that there is no one-size-fits-all solution. A couple of my hon. Friends mentioned the benefits of satellite technology. I am lucky enough to have the National Space Centre in my constituency, so I would be more than happy to see a satellite solution. We have to be realistic, however, about what satellites can deliver. They will be a complementary technology, but they certainly do not provide a one-size-fits-all solution.

The key issue—and, I think, the key reason why my hon. Friend the Member for Penrith and The Border called this debate—is the auction that is about to take place for the 800 MHz and 2.6 GHz spectrum, and the coverage obligations put forward in Ofcom's initial outline of how the auction will take place. I remind hon. Members that this is being consulted on; it is not fixed in stone. This debate will be important not just for the Treasury to watch, but for Ofcom, which will give serious consideration to any representations, along with appropriate evidence, on whether to increase the coverage obligation attached to the 800 MHz licence. It is important that robust evidence is made available.

Let me make it absolutely clear to hon. Members that the auctioning of spectrum is not a money-raising exercise. In fact, under European rules, it is not appropriate to auction spectrum simply to raise the maximum revenue possible. Ofcom has to take into account a whole range of different factors, including the investment capacity of operators. It must also undertake a cost-benefit analysis of whether the coverage obligations are inappropriately expensive.

It is important that Ofcom's consultation is seen to be open, transparent and robust. One thing that I have learned in government is that the constituency of mobile and telecoms operators with which I deal comprises not only some of the most fantastic British companies, but some of the most litigious. If my hon. Friend the Member for Penrith and The Border could have done any additional work in marshalling his forces for this evening's debate, it would have involved conveying to the chief executive of each company, in no uncertain terms, his and his colleagues' view that we must get on with the auction, and that any attempt to disrupt it through litigation could set back the auction and therefore the roll-out of spectrum.

I have deliberately avoided being partisan in my speech, but I must express disappointment about the interventionist approach that I consider the last Government to have taken in regard to the spectrum auction. I believe that if they had simply left it to Ofcom, we would have reached the end of the process before the present Government had even come to office.

We should bear in mind the changes that are taking place in the UK mobile market and in technology. I had the privilege of visiting Alcatel-Lucent recently to observe the technology that it is developing in Swindon. It is good to see inward investment taking place there. Technologies such as femtocells—which, essentially, provide small base stations in the home or office—will radically improve indoor coverage, and will give users better coverage.

The hon. Member for Wrexham made a valid point in his critique of the Government's policy in regard to local authority bids. I think that local authorities are best placed to lead the bids, but it is important to remember that Broadband Delivery UK sits behind the bidding process,. It is able to advise local authorities on procurement, and assesses bids partly on the basis of the capacity of a local authority to deliver in terms of its personnel and expertise. The more such bids are made and the more individual local authorities engage in procurement exercises, the more other local authorities will have an opportunity to learn from the process.

[Mr Vaizey]

Let me end by reminding the House that Rome was not built in a day. We must bear in mind the capacity of the private operators and companies that will deliver superfast broadband. I believe that we have adequate sums to support it, but I take the concerns expressed by Members on both sides of the House very seriously. We are working as hard as we can, given the constraints within which we operate, to deliver good superfast broadband to as many people as possible by 2015.

5.58 pm

Rory Stewart: I thank all Members who took part in the debate. It is extraordinary that on a Thursday afternoon 20 Members should speak on a motion tabled by 100. I also echo the thanks expressed to Louis Mosley.

The fibre issue remains central to the debate, and I am sorry that I did not say more about it. The connection of fibre through backhaul to mobile telephone masts needs to be addressed. However, it is on mobile broadband that we should really be focusing because of the consultation this evening.

Extraordinary changes have been made. By 2015, 7.1 billion people will have mobile telephones. That is more than the current population of the world. Whatever we do, whether it involves £215 million, 1,500 masts or a 98% coverage obligation, let us use the debate to pass the message to Ofcom that it must extend the coverage obligation.

Question put and agreed to.

Resolved,

That this House recognises that rural businesses and rural communities across the UK are isolated and undermined by slow broadband and the lack of mobile voice and mobile broadband coverage; urges Ofcom to increase the coverage obligation attached to the 800MHz spectrum licence to 98 per cent.; and calls upon the Government to fulfil its commitment to build both the best superfast broadband network in Europe and provide everyone in the UK with a minimum of 2 Mbps by 2015.

Business without Debate

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 8 June, notwithstanding paragraph (2)(c)(i) of Standing Order No. 14 (Arrangement of public business), opposition business may be proceeded with for three hours; proceedings shall then lapse if not previously disposed of; and Standing Order No. 41A (Deferred divisions) shall not apply.—*(Mr Dunne.)*

East Coast Main Line Call Centre

Motion made, and Question proposed, That this House do now adjourn.—*(Mr Dunne.)*

5.59 pm

Ian Mearns (Gateshead) (Lab): It is timely that on the day Sir Roy McNulty's report on why Britain's railways cost more than other European railways is published, and on the day he recommends yet further fragmentation of our rail network and fails to consider seriously the benefits of reintegrating the railways under public ownership or why billions of pounds are drained from the industry in profits to the train operating companies, we have this opportunity to consider East Coast's decision to threaten the future of 180 jobs on Tyneside by transferring an important customer service part of its operation to Mumbai in India.

As Members will be aware, the east coast main line service is wholly owned by Directly Operated Railways Ltd, trading under the name East Coast. DOR Ltd is, in turn, wholly owned by Her Majesty's Government in the guise of the Secretary of State for Transport. I know the Minister will argue that it is not appropriate for the Government to seek to intervene in operational matters of this type that are properly for East Coast to address, but I am a little incredulous about that.

The Minister will probably argue that as the east coast main line service is owned by DOR Ltd and not the Government, the Government have no right to intervene. However, I listened very carefully to the Secretary of State's statement today, during which he said: "The Government want Britain's railways to continue to prosper and have demonstrated by their actions their commitment to them. Despite the difficult fiscal climate, we have allocated funding to complete Crossrail and Thameslink, and to support the upgrade of the London underground. We have announced electrification on the great western main line and in north-west England. We have resumed the intercity express programme to improve reliability, comfort and journey times on the east coast and Great Western main lines." The Secretary of State therefore plainly takes credit for investment in the railways that, we hope, will improve the service, but he will probably in due course deny any responsibility for, influence over, or right to interfere in the affairs of, East Coast and its decision to close a call centre in Tyneside. The use of the term "we" in the statement followed by a list of all the actions taken proves that the Government can intervene. That leads me to raise the issue of Ministers taking the practice of using smoke and mirrors to evade responsibility to new heights.

The purpose of this debate is absolutely clear. I want to ensure that the Secretary for State cannot evade responsibility on this issue. I want to defend 180 local jobs in Tyneside, where unemployment is already well above national averages. I want to highlight the ridiculous scenario whereby a state-owned company—supported by millions of pounds of taxpayer subsidy—is pursuing a policy of exporting jobs to exploit cheaper labour market conditions abroad and throwing local people on to the dole in an unemployment black spot. I want to highlight the false economy savings for both the railway and the United Kingdom Exchequer. I want to highlight that this is simply the latest train franchise cut, in order to make it more attractive to potential bidders when it is put up for re-privatisation. Finally, I want to highlight the context of Sir Roy McNulty's report and the east coast main line's place in the chaotic structure of the public and privatised railways.

East Coast intends, via a re-tendering process, to move the work currently undertaken at the customer contact centre in Baron house in Newcastle upon Tyne away from the north-east to Mumbai in India, Plymouth and Wolverhampton—but mostly to Mumbai in India. The following jobs are currently performed at Baron house: customer contact centre and associated services; inquiry and booking services for telesales, group travel, assisted travel and business travel; ticket fulfilment; web support; and customer relations activities. This action will culminate in the loss of 180 jobs on Tyneside, which will be a bitter blow for the people in a region that is already reeling from the impact of this Government's economic policy, where between 28% and 32% of the work force depend on the public sector for employment, and which is already braced for the disproportionate impact of the Government cuts, especially in local authority expenditure. The work will now be undertaken outside the north-east of England and a high proportion of it will be undertaken outside the UK, in Mumbai.

The following operations will now take place in the following locations: group and assisted travel and ticket fulfilment will go to Plymouth; public telesales will go to Mumbai; web support and ticket fulfilment will go to Wolverhampton; business travel services will cease as a telephone service and will be online only, supported in Wolverhampton; East Coast customer relations will go to Intelenet in Plymouth; delay repay, processing only, will go to Intelenet in Mumbai; and lost property will go to Plymouth.

Ian Lavery (Wansbeck) (Lab): Does my hon. Friend remember the Prime Minister suggesting, before the election, that the north-east would be hit hardest and first? Does my hon. Friend agree that this is just another case—a shining example—of an attack on decent hard-working people in the north-east and that that should not be tolerated any more?

Ian Mearns: I am grateful to my hon. Friend for raising that issue. Members from the north-east of England have mentioned on numerous occasions how the cuts imposed by the Department for Communities and Local Government in particular have disproportionately hit the north-east of England. Councils in our region have lost four times the measure of public finance from the central Government grant than those in the south-east outside London. The impact is disproportionate on an area that is already struggling in this economic climate.

Staff have been advised that they will lose the benefits that would normally accrue to people working in the rail industry and that their rail travel facilities will be retained only until 31 December. The transfer of work is being phased and will begin on American Independence day, 4 July, with the last shift work to be done on 23 July. Over those three weeks, the work will gradually be moved from Baron house in Newcastle.

Surely it is totally unacceptable for a state-owned company such as East Coast, supported by taxpayers' money, to export jobs abroad.

Mr Kevan Jones (North Durham) (Lab): My hon. Friend says that the company is supported by taxpayers, but does he agree that it has also been supported under GNER and now as a state-owned company by many people in the north-east who have loyally given their custom to the railway? Does he think that because of these moves they should perhaps consider alternative forms of travel?

Ian Mearns: I am grateful to my hon. Friend for that comment. I have been in discussions with people from East Coast about a range of problems on the east coast main line service. Normally, by this time on a Thursday evening, we are travelling on the east coast main line on our way home. We are very familiar with the levels of service and the investment—

Mr Jones: And with how bad it's got.

Ian Mearns: Exactly—and with how bad it has become.

Next week will see the implementation of a new timetable, but it will also see the downgrading of a number of services that East Coast has been supporting. People in the north-east are asking why we should support East Coast when there might well be better alternatives for travel across the country. That is not good from an environmental perspective.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank my hon. Friend for giving way and for obtaining this Adjournment debate on an important issue. The centre at Baron house is in my constituency and it is true that the people of the north-east have always given significant support to the east coast rail service. Has there been any criticism of the work at Baron house? Is it not the case that it has always been performed well and that its performance is not the reason for moving the contract?

Ian Mearns: My hon. Friend is absolutely right. The call centre at Baron house has provided an excellent level of customer service. Nationally, people regard the north-eastern accent as reliable—

Mr Jones: Trustworthy, too.

Ian Mearns: The accent is regarded as reliable and trustworthy when it comes to providing call centre services, and that is why the north-east has become a centre for call centre operations. Conversely, it is sad to reflect that unfortunately British customers are averse to call centres based offshore.

Grahame M. Morris (Easington) (Lab): I, too, compliment my hon. Friend on securing a debate on this issue, which is important to the north-east and has some national significance. In view of today's statement on the McNulty report and the arguments being made by Ministers about needing to reduce the public subsidy to the rail industry, is this not another example of false economy if the method of reducing the subsidy is to transfer overseas UK jobs that support the economy, particularly in areas such as the north-east?

Ian Mearns: My hon. Friend makes a very good point. At a time when the Government claim that supporting growth in the UK economy is their priority,

[Ian Mearns]

surely exporting good quality jobs from the north-east to India cannot be defended. There is also the issue of the public's perception of the level of service they will get as a result.

The Secretary of State denies responsibility for this while passing on millions in public subsidy. The company received £40 million in direct funding from the taxpayer in the nine months to 31 March 2010 by way of a working capital loan facility agreed with the Secretary of State. Given the investment from the UK taxpayer, surely there must be a moral obligation for a state-owned company to retain jobs in the UK. There should at least be some consideration given to those jobs being taken in-house by the operator. That work is not going to go away. It is a much-needed, public-facing aspect of the train service operation and there is no evidence that the transfer will improve the service afforded to the public.

The Government's stance could be regarded as hypocritical. They declare their commitment to growth and rebalancing the economy, and day after day they preach to private business about the need to help the economy to recover by creating new jobs, but in the case of East Coast—a company that we fully own—they sit back and permit the export of jobs from a company that belongs to the taxpayer. Let me be clear: my primary concern is for the people whose lives are affected by this, but equally important is the impact on industry of exporting real jobs, particularly customer contact jobs, to another country, which represents a retrograde step away from an integrated transport policy. Despite the McNulty report's failure seriously to consider the benefits of reintegrating the railways under public ownership, many in the House are convinced that the evidence demonstrates that the reason why railways in Europe are cheaper for the taxpayer and the fare payer is that on the whole they are in public ownership and are less fragmented.

There is a wealth of evidence to show that overseas call centres are not the answer for companies that are looking to cut costs. In May 2004, a Department of Trade and Industry study found that work force costs that had not been fully factored into business evaluations of offshoring included the additional costs of employing local law specialists, consultants and accountants, as well as the cost of redundancies, redeployment and reskilling displaced UK workers. It revealed that staff turnover at Indian call centres in particular was about 25% compared with about 15% in the UK, with an average job tenure of about 12 months compared with three years in the UK. Higher attrition rates surely cannot be beneficial to good-quality customer service.

In July 2009, there was a huge outcry when the Association of Train Operating Companies moved 200 National Rail inquiries jobs from the UK to India. Subsequently, it was widely believed that the quality of service to the British travelling public had decreased. At the same time, BT decided to move 2,000 call-centre jobs back from India to the UK as part of a long-term strategy to cut costs by £1 billion and to reduce dependency on third parties. In 2005, the Select Committee on Trade and Industry reported that customer satisfaction surveys found that UK consumers did not like businesses they believed had offshored their services, preferring to deal with call centres in the UK.

In subcontracting jobs abroad, the company has made a narrow, short-term financial decision. No account has been taken of the impact that the loss of skills and jobs will have on the north-east region, its community and the local economy. Nor has any account been taken of the obvious cost to the UK in benefits of whose who will be made redundant as a result or of the reduction in tax revenue for the Exchequer. The McNulty report states that value for money is not just about pounds and pence, but about how the railway realises its wider benefits to society. Through fragmentation and privatisation, those benefits will be lost.

The industry's most valuable asset is its work force. These redundancies mark a wasteful loss of knowledge and skills that have been honed through years of experience. They damage the shared commitment to the overall service that a proper public service ethos can bring. They impose a hidden cost of increased interfaces in the industry, blur transparency and accountability and de-clarify lines of responsibility, which would be the hallmark of a more efficient railway.

The blow to the economy of the north-east cannot be overestimated. The loss of these jobs to the region is yet another blow to the local economy and to our local communities. Tyneside already suffers a level of unemployment above the national average. The growth in call centre work has been an important factor in providing new employment in the north-east after the decline of manufacturing and, in particular, heavy industry, which arguably was caused mainly by a previous Government of the same nature.

As we all know, the Government are determined to reduce workers' rights in the UK. They call it removing red tape and are strongly tempted to try to remove the rights of workers through Transfer of Undertakings (Protection of Employment) Regulations. However, TUPE has been rendered irrelevant in this situation. A worker having the right to follow their work to the new company is simply not a realistic or viable option for those at Baron house, who now face the complete closure of their workplace, with a move for a few possibly to Plymouth or the bulk to India of course being impractical.

The awarding of this customer contact centre contract to a company with operations in Mumbai should not be seen in isolation. It is the next stage in trying to make the company more attractive to potential bidders in preparation for the eventual re-privatisation of the franchise in 2013. Already this week we have witnessed the end of a buffet car service on the east coast main line and the direct service from London to Glasgow has already been greatly reduced. Clearly the aim of the game is not customer service, or even value for money.

Despite the overwhelming social, environmental and economic benefits of retaining services from London King's Cross to Glasgow, the direct services have been dramatically scaled back from 13 trains a day to just two, one in each direction—the 6.50 am service from Glasgow to King's Cross and the 3 pm service heading in the opposite direction.

In the context of the McNulty report, clearly the east coast main line has a troubled history. I will not go into that now, but it is important that we think about the Government's responsibility to manage that franchise. They do have a responsibility and they can change this decision.

6.17 pm

The Minister of State, Department for Transport (Mrs Theresa Villiers): I congratulate the hon. Member for Gateshead (Ian Mearns) on securing the debate and on his speech. I completely understand the concerns of those working at the Baron house call centre. It is clear that job losses are a very harsh blow to the people concerned. That is one of the reasons why the coalition Government are working so hard to try to create the right conditions for growth and the creation of new jobs.

Mr Kevan Jones: In the north-east?

Mrs Villiers: Absolutely, in the north-east and right across the country.

Before responding to the hon. Member's questions, I must first clarify and reiterate the relationship between the Government and the east coast main line operator. East Coast Main Line Ltd is wholly owned by Directly Operated Railways Ltd, which is, as he pointed out, owned by the Government. East Coast and DOR are companies registered under the Companies Act and operate in accordance with their own articles of association and governance. This provides a framework for the operation of the franchise as a free-standing entity in readiness for the return of the franchise to the private sector, a return that was envisaged by the previous Government as well as the current one.

Grahame M. Morris: I am slightly perplexed by that explanation and tempted to think of the situation with the banks. The Chancellor and the Prime Minister have told us that influence is being exerted on the state-owned banks to ensure that they lend to small and medium-sized enterprises. Is the Minister suggesting that such influence cannot be applied on this company with regard to jobs?

Mrs Villiers: I will explain the relationship between East Coast and the Secretary of State. The aim is for that relationship to replicate the arrangements for franchises elsewhere on the network in order to ensure that the principles of private sector operation are embraced and maintained. The reason for that approach is so that the Secretary of State is able to protect the value of the franchise and the taxpayer gets value for money when the franchise returns to the private sector.

If the Department or my right hon. Friend the Secretary of State were to start intervening in the way the operator runs East Coast, for example by overturning decisions based on commercial considerations, they might well have to answer for their decisions in front of the Public Accounts Committee. I am afraid that we do not believe it a viable option to intervene on the basis of political or non-commercial considerations, even if the Secretary of State were minded to do so.

Mr Kevan Jones: On the threat that the Public Accounts Committee is going to question what the Minister does, may I just say as a former Minister that it can question anything a Minister does? So, that argument is a complete nonsense.

Mrs Villiers: The Secretary of State is under a duty to safeguard the assets vested in the Department for Transport. The East Coast operation happens to be one of those assets, so it would be irresponsible to intervene and overturn the operator's commercial decisions.

Chi Onwurah: I share the consternation and concern of my hon. Friend the Member for North Durham (Mr Jones) at the approach that the Minister has outlined. East Coast clearly does not have shareholders, as the other franchises do, but a shareholder could and, we hope, would respond to public pressure and outrage if decisions were made that went so against corporate responsibility, so it is only just that the Secretary of State should play a similar role.

Mrs Villiers: As I have made clear, the coalition Government's adopted approach, which the previous Labour Government espoused, is that the franchise should be operated on a commercial basis by East Coast Ltd. It should not be the subject of political direction from the Secretary of State.

Grahame M. Morris: That is a crucial point if we are arguing about commercial decisions. As my hon. Friend the Member for Gateshead (Ian Mearns) said in an excellent speech, is there not a weight of evidence from banks, insurance companies and various private sector companies that overseas call centres are becoming less and less popular, including with customers, and that therefore any move would damage the potential to sell the franchise to the private sector? Is there not an argument that it would be beneficial to the future sale of the company to keep the call centre at least in the UK, but certainly in the north-east, where it is?

Mrs Villiers: The people best placed to make the decision about what is best for the East Coast operation are the specialist practitioners who run East Coast Ltd, not Ministers, not Members. Those practitioners are the best people to make the best decision about what is in the interests of fare payers and taxpayers. East Coast is confident that the new arrangements will deliver better services for passengers and far better value for money.

Mr Kevan Jones: Will the Minister give way?

Mrs Villiers: As I will outline, should I get the opportunity, the options were fully explored in relation to continuing the relationship between the Baron house call centre and the East Coast operation, but it was found not to be viable in terms of value for money. If East Coast were to ignore value-for-money considerations, not only would the taxpayer suffer, but the fare payer would as well.

Mr Jones: Has the right hon. Lady, as a Minister, looked at the case in detail, taking into account not only the value for money for East Coast, but the cost to the taxpayer in terms of redundancy payments directly from the company and the unemployment benefit that will have to be paid in the north-east of England? Has she actually looked at the case in detail?

Mrs Villiers: I can assure the hon. Gentleman that East Coast has looked in detail at the viable option for the operation of the franchise.

Mr Jones: But have you?

Mrs Villiers: I think that we have covered the issue with some clarity.

Ian Mearns: The Minister is saying that the people best placed to make those decisions are the people in charge of the commercial considerations at East Coast—the very people who have overseen the running-down of the service and the provision of a very poor service along the east coast main line.

Mrs Villiers: Of course I am well aware of the performance issues on the east coast route at the moment. However, I draw the hon. Gentleman's attention to the improving performance of the train operator. The bulk of the problems that are currently being experienced are the result of problems with the infrastructure, over which East Coast has no control. I hope that in future, with the McNulty-style reforms, we will see shared incentives and improved performance from Network Rail. It is a mistake for the hon. Gentleman to blame those running the East Coast operation for the current performance problems. They bear a share of the responsibility, but the bulk of it, I am afraid, is Network Rail's.

Turning to the facts of the case, National Express Services Ltd, or NXSL, was providing call centre services to National Express East Coast—NXEC—before its franchise terminated in 2009. NXSL is a separate commercial entity from NXEC and therefore was not taken over by Directly Operated Railways—DOR—at the handover. To ensure business continuity, contact centre services continued to be provided from Baron house to East Coast Ltd on a temporary basis, but two major problems stood in the way of this arrangement continuing on a longer term basis: first, the cost base of the Newcastle call centre; and secondly, the fact that telesales volumes have been falling rapidly across the rail network as customers switch to internet buying.

Ian Lavery *rose—*

Mrs Villiers: I am going to continue for a moment.

In 2006, 11% of East Coast ticket sales were made over the telephone—today, that figure has fallen to just 1.9%—and 50% of East Coast advance ticket sales are now made via the internet.

Following the failure of the NXEC franchise, the services provided by the customer contact centre were reviewed by East Coast and by National Express. That review concluded that it was not commercially viable for the call centre to continue to provide telesales services to the new east coast operator.

Ian Lavery: Will the Minister give way?

Mrs Villiers: No, I have been very generous.

Greater flexibility was sought to enable a better response to sudden peaks in demand for call centre services—for example, as occurred over the winter. A priority for East Coast Ltd was to ensure a stable future for its contact centre services. Due diligence was conducted to establish if it was feasible for DOR to purchase NXSL and the contact centre and operate it as a subsidiary. However, this proposition was not viable because of the significant liabilities associated with the call centre. A working capital injection of approximately £2 million would have been required, plus further investment to turn around a loss-making business.

East Coast worked with National Express to see whether the Newcastle operation could be sold to a third-party expert in call centre services. Bids were received, but they faced the same purchase problems identified by East Coast and fell through when it proved impossible to agree a price. East Coast also considered whether some of the services could be provided in-house, but it is not a telephone contact centre specialist, and it concluded that it did not have the capacity or expertise to provide in-house services to the high standards that its customers wanted and that it was possible to get from a third-party supplier.

Having exhausted all possible options, East Coast concluded that the only viable way forward was to seek a new specialist supplier to provide call centre services. In parallel with National Express's efforts to secure a third-party purchaser, East Coast initiated an Official Journal of the European Union procurement process to invite bidders to provide contact centre services. The legal requirements of that process meant that East Coast was not permitted to specify the location from which these services were to be provided. The Utilities Contracts Regulations 2006 prevent this unless a particular location is essential for the provision of the service. As the hon. Gentleman said, the outcome of the process was a contract with Intelenet UK for public telesales, group and assisted travel, ticket fulfilment and customer relations, and a further contract with Atos Origin for web support and web ticket fulfilment.

I appreciate that this process has a downside and is a real blow for those working at the National Express call centre, but there is an upside for passengers. I am advised that East Coast believes that the new contract—

6.30 pm

House adjourned without Question put (Standing Order No. 9(7)).

House of Commons

Monday 23 May 2011

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

ROSEMARY NELSON INQUIRY

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of the Report, dated 23 May 2011, of the Rosemary Nelson Inquiry.—*(James Duddridge.)*

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Underperforming Schools

1. **Mary Macleod** (Brentford and Isleworth) (Con): What steps he is taking to improve standards in underperforming schools. [56573]

The Secretary of State for Education (Michael Gove): I want our education system to be the best in the world, which is why we have invested more than £100 million in an endowment fund for the poorest students. We have invested £2.5 billion in the pupil premium, we have expanded the academy programme and we have invested more in expanding elite routes into teaching such as Teach First. We have also raised the floor standards by which we judge schools' performance. Some 216 secondary schools are below the floor standards with fewer than 35% of their students achieving five good GCSEs, including English and maths, and 1,394 primary schools are below the floor standards with fewer than 60% of pupils at the end of key stage 2 achieving level 4 or above in English and maths. I wrote to local authorities on 1 March asking them to set out their plans for improving their weaker schools. I received those plans back on 15 April and I am reviewing them.

Mr Speaker: The answer, I am afraid, was simply too long. I hope that answers from now on will be shorter.

Mary Macleod: In my constituency I want the best possible education for all pupils, no matter who they are or where they come from, but organisations such as the CBI are saying that they are concerned by the numeracy and literacy levels of school leavers. Does my right hon. Friend agree that we should have a zero-tolerance approach to underperforming schools and that we should prioritise literacy and numeracy levels?

Michael Gove: I am sorry, Mr Speaker, that the Government are doing so much that I could not pack it all into one answer. I agree with my hon. Friend that we absolutely need a zero-tolerance policy on illiteracy and innumeracy. That is why we will be ensuring that all students pursue a course in English and maths to the age of 18.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Secretary of State will know that one of the best ways of improving standards in schools is having a highly qualified and motivated teaching staff. I understand that there has still been no response to the inquiry into the quality of teacher training that the Select Committee on Children, Schools and Families conducted when I was its Chair.

Michael Gove: We gave an answer to that excellent report with the publication of our White Paper, "The Importance of Teaching". From that title, I am sure that the hon. Gentleman will draw the appropriate inference that there is nothing more important than teaching.

Mr Graham Stuart (Beverley and Holderness) (Con): The James review found that school buildings that are beyond being merely fit for purpose make no real contribution to educational standards and that teaching and leadership are what make the difference to outcomes for children, not least in our weakest schools. Will the Secretary of State explain the difference in spending patterns that will be implemented by this Government as compared with those of the previous Government?

Michael Gove: That is a typically good question from the Education Committee Chairman. Unlike the previous Government, we will not be wasting money on a capital programme that is out of control and bureaucratic. Instead, we will be investing money in making sure that more of the very best graduates go into teaching and we will be expanding opportunities for inspirational figures such as Peter Hyman to open new free schools and target the disadvantaged, who need them most.

Meg Munn (Sheffield, Heeley) (Lab/Co-op): Last week, I visited a school in my constituency that struggles to meet the floor targets but which has the most dedicated and outstanding teachers and head teacher anyone could wish for. How will the Government support those outstanding teachers and make them feel that the job they are doing is valued even though, because of all the other circumstances that those children experience in their lives, the school will struggle to meet the floor targets?

Michael Gove: We have made our floor standards not only tougher, by raising them, but fairer so that we take account of progression. Those schools in which there are children from challenging backgrounds with low levels of prior attainment will be judged in the round. We are going to have a new measure in our performance tables that focuses attention on the performance of the 20% of students who come from the toughest backgrounds. It is also the case that our pupil premium will ensure that schools such as the one the hon. Lady mentions, with a high proportion of children from disadvantaged backgrounds, will simply get more money so that teachers can do an even better job.

School Administration

2. **Paul Uppal** (Wolverhampton South West) (Con): What steps he is taking to reduce the burden of administration on schools; and if he will make a statement. [56574]

The Minister of State, Department for Education (Mr Nick Gibb): The Government are committed to reducing the administrative burden on schools. We have already announced that the lengthy self-evaluation form will be removed, FMSiS—the financial management standard in schools—will be scrapped, and the inspection framework will be streamlined. All data collections are being reviewed and we have included measures in the Education Bill to remove unnecessary regulations. In addition, we are taking action to reduce dramatically the volume of guidance and advice issued to schools.

Paul Uppal: Free schools and academies reduce bureaucracy so that more time can be spent on education. Does the Minister agree that all those schools should be encouraged in all areas so that children from any background can have access to an environment that encourages aspiration and ambition?

Mr Gibb: My hon. Friend is right. The recent Public Accounts Committee report on academies found that they have achieved rapid academic improvements and raised aspirations in some of the most challenging schools in some of the most deprived parts of the country. That is why we are expanding the academies programme and encouraging more providers to enter the free schools movement.

Mr Gerry Sutcliffe (Bradford South) (Lab): Although it is important to reduce the burden of administration, how will the Government make sure that free schools have the right management skills to deal with the issues they face? In Bradford, a number of free schools have been approved where the management have no proven skills in management techniques.

Mr Gibb: There is a rigorous approval procedure before any free school proposal is approved by the Secretary of State. The hon. Gentleman should be assured that we are accepting to business case only those proposals that can demonstrate to the Secretary of State that they have a rigorous approach to leadership and management and will provide high-quality education.

Andrew Percy (Brigg and Goole) (Con): Too much administration, the overbearing nature of Ofsted inspections, and an almost evangelical approach to safeguarding make it almost impossible for many schools to take their kids out on school trips. Instead, our young people are penned up in fortress-like schools. May we have an assurance that the Department will do everything it can to ensure that children get out of the classroom and go to museums and other facilities where they learn better?

Mr Gibb: My hon. Friend is right. That is why Ofsted inspections are being focused on teaching, leadership, attainment, behaviour and safety. We have taken into account the work of Lord Young in making sure that we do not over-regulate school trips, and that we make it much easier and safer for teachers to take children on school trips without the fear of prosecution.

English Baccalaureate

4. **Catherine McKinnell** (Newcastle upon Tyne North) (Lab): What estimate he has made of the number of young people who will opt to study English baccalaureate subjects in the 2011-12 academic year. [56576]

The Minister of State, Department for Education (Mr Nick Gibb): We do not currently collect systematic data on pupil choices, but anecdotal evidence suggests that the English baccalaureate measure is having a positive effect, with more schools making this combination of subjects open to more pupils. Our concern is that last year just 15.6% of pupils achieved a C grade or better in the English baccalaureate combination of subjects.

Catherine McKinnell: I thank the Minister for that reply, but what would he say to a governor at Walbottle Campus in my constituency who raised with me the fact that that school and others like it have seen an impressive performance in GCSE results in the past few years, but saw only about 5% of its pupils achieving the E-bac? Does the Minister recognise the concern that E-bac by diktat will put at risk the hard work and commitment of staff, governors and pupils in creating a broad curriculum that enables all pupils to thrive?

Mr Gibb: The English baccalaureate is not prescriptive. It is just a measure—one of many measures—that this Government are putting forward as part of the transparency agenda. It is the next stage in that school's improved performance. It is a concern to the Government that children, particularly in deprived areas, are not being offered that combination of choices. Only 8% of children who qualify for free school meals were even entered for the English baccalaureate subjects, and only 4% achieved them.

Annette Brooke (Mid Dorset and North Poole) (LD): Does the Minister have any hard evidence that there has been a significant switch towards subjects in the English baccalaureate this year for this year's results? Is he concerned that as a consequence cramming might have taken place in the switched-to subject?

Mr Gibb: It is always a concern if schools are not entering students for qualifications that best meet their interests. That is what is behind the introduction of the English baccalaureate measure. We want to undo some of the perverse incentives that already exist in the league table situation. We would not want to see pupils being transferred mid-course to English baccalaureate subjects simply for the league table position.

Mr Speaker: Order. May I gently appeal to the Minister of State to face the House when giving his replies so that we can all hear them?

Kevin Brennan (Cardiff West) (Lab): I am sure the Minister has read the bishops' e-alert which arrived from the Catholic Bishops' Conference of England and Wales at 2.18 pm this afternoon, in which the bishops say that they

> "have serious reservations over the omission of Religious Education from the English Baccalaureate"

and

> "urge the government to reconsider its decision".

Given the state of rebellion on the Government Benches about this and the uncertainty across the country, will the Minister take this opportunity to confirm that he is not planning another U-turn, this time about RE and the E-bac?

Mr Gibb: Unlike the Pope, the bishops are not infallible. We believe that there is plenty of room in the English baccalaureate curriculum to continue to study subjects such as RE, economics, music, art and vocational subjects, and we have deliberately kept the English baccalaureate small to enable that to happen. In addition, RE is a compulsory subject, and we have seen a very large rise in the proportion of the cohort taking religious studies to GCSE, whereas we have seen a fall in the numbers and the proportion taking geography and history to GCSE.

School Staff Redundancies

6. **Andrew Gwynne** (Denton and Reddish) (Lab): What recent estimate he has made of the likely number of redundancies of school staff in 2011-12. [56579]

The Minister of State, Department for Education (Mr Nick Gibb): No such assessment has been made centrally. The funding settlement for 2011-12 protects school funding in the system at flat cash per pupil and provides funding for the pupil premium on top of that.

Andrew Gwynne: Is the Minister aware of the report in *The Times Educational Supplement* showing that almost four in 10 schools in England plan to reduce staff numbers in the next year, meaning a possible drop of almost 17,000 staff across England? With a reduction of that order, is it not the case that many schools will struggle, particularly when it is linked to reductions in school budgets, which will fall in real terms over the next three years, meaning that those pupils most in need will be disadvantaged the most?

Mr Gibb: It is very difficult to take Labour Members seriously on the issue of funding, because we inherited a record Budget deficit that had to be tackled, and despite tackling a £156 billion Budget deficit, we have managed to maintain funding for schools at flat cash per pupil over the spending review period. In addition, we have introduced the pupil premium, which will rise to £2.5 billion by 2014-15. Having said that, and although this is a good settlement in the context of what we inherited, schools will have to find efficiencies in procurement and other areas; we absolutely recognise that. Coming from the hon. Gentleman, the question is rich, given what we inherited from his Government.

Free Schools

7. **Mr Dominic Raab** (Esher and Walton) (Con): What recent progress he has made in establishing free schools. [56580]

The Secretary of State for Education (Michael Gove): The first free schools are due to open in September, less than 15 months since we first invited applications from groups interested in setting up new schools. That in itself is testament to the incredible energy and commitment of the first pioneering projects. Four groups have now entered into a funding agreement, a further 22 have had their business cases approved and six more are under consideration.

Mr Raab: I wholeheartedly welcome that progress. Research by the Adam Smith Institute has found that 42% of profit-making independent schools operate on fees equal to or less than the average pupil funding in state schools. If entrepreneurs can drive up teaching standards and keep costs down, should we not look critically at some of the more dogmatic objections to their potential role in developing free schools?

Michael Gove: I welcome my hon. Friend's radicalism and idealism. I want to see how the first free schools do when they open in September. Given some of the inspirational figures who plan to lead them, I am convinced that we will see standards rise and that, as we see them rise, the innovations that those figures bring to the state sector will be spread more widely.

Chris Leslie (Nottingham East) (Lab/Co-op): Is it true that there are 100 civil servants in the Department working on the free schools programme? If it is not 100, how many is it? What is the cost of that number of civil servants, and what on earth are they doing?

Nick Boles (Grantham and Stamford) (Con): More than they were under you!

Michael Gove: Yes—a very good prompt from behind me. There are just around 100 civil servants working on the programme and I am delighted that they are, because I am convinced that helping idealistic figures, such as Peter Hyman and Sajid Hussain, a state school teacher who is setting up a school for disadvantaged students in Bradford, is a good thing. We are bringing schools to the areas of deprivation let down by the hon. Gentleman and his party. Instead of civil servants having their time diverted to the sort of politically correct projects that preoccupied the Labour party, at last they are concentrating on driving up standards for the poorest, and I am proud that it is the coalition Government who are doing it.

Simon Kirby (Brighton, Kemptown) (Con): Will the Secretary of State join me in welcoming a number of potential free schools in my constituency, which he knows well, including one that plans to offer a bilingual education and one that plans to help very deprived young people in different areas?

Michael Gove: I am delighted not only that there are free school applications from Brighton, Kemptown, but that Brighton college is playing a part in helping to establish a new free school in the east end of London which is setting out specifically to target talented children from poorer backgrounds. When that is combined with the innovation being shown by the Durand school in Brixton, for example, which plans to establish a state boarding school for disadvantaged children from that area, I have to say that the coalition Government are unleashing a wave of radicalism the like of which will not have been seen since 1944.

Andy Burnham (Leigh) (Lab): That confidence is clearly not shared in No. 10 Downing street, because last week it gave a distinctly lukewarm end-of-term report on the free schools policy. Let me quote a No. 10 source from *The Independent*:

> "I guess you'd give Michael a six out of 10. The problem with Free Schools is that the scheme was designed to fill gaps in areas where there are poorly performing schools. But that's not where the applications have come from."

Can the right hon. Gentleman tell the House how many of the 26 approved free schools in England come from the 10 most deprived local authority districts?

Michael Gove: May I say, in terms of statements emanating from the centre, how delighted we were on this side of the House to read just last week that the Labour leadership has full confidence in the right hon. Gentleman? We are absolutely delighted that he is where he is, and we hope to see him there for many months to come.

All the free school applications that we have received are either in areas of deprivation and educational underachievement or in areas where pupil numbers are rising fast and there is a desperate need to see new school places. Whether it is Bradford or the east end, Slough or Tower Hamlets, in every single one of those areas poorer children are benefiting as a result of our radicalism.

Andy Burnham: My son has been doing standard assessment tests—SATs—recently, and I have been saying to him, "Read the question and answer the question." I am tempted to say the same to the Secretary of State. The answer—the answer he would not give—is two, so it is clear that his policy is based on ideology, not on need.

I am more pragmatic than the Secretary of State. I have always said that each local proposal should be judged on its merit, and there is nothing to stop a free school being truly comprehensive if it is set up in the right way. What I object to is the unfair way in which he is siphoning off resources from other schools to pay for his free schools. Will he confirm today that the average maintained school is this year going to get an 80% cut in its maintenance budget to pay for free schools? If that is true, how on earth does he justify it?

Michael Gove: I hope the advice that the right hon. Gentleman has given to his son on how he sits his SATs includes doing his revision and his homework, because I sat open-mouthed as the right hon. Gentleman unveiled his latest position on free schools. It is very different from the answer he gave on "The Andrew Marr Show" on 10 October when he was asked:

> "So you are against free schools?"

and he said, "Yes I am"; very different from the answer he gave in *The Guardian* on 9 November when he said that under Labour

> "there would be no more free schools";

and very different from the answer he gave on 31 January when he said:

> "Free schools mean a free-for-all".

Over the past year, he has been consistently opposed to free schools, and now he says he is in favour—

Mr Speaker: Order.

Michael Gove: Not so much a U-turn—

Mr Speaker: Order.

Michael Gove: More an inglorious retreat—

Mr Speaker: Order. I ask the Secretary of State to resume his seat, and let me make it clear beyond peradventure, to the Secretary of State and to the House, that questions are about the policy of the Government and answers, suitably succinct, should be about the policy of the Government. That is how we will proceed from now on.

Special Educational Needs

8. **Nicky Morgan** (Loughborough) (Con): What progress he has made on the reform of provision for children with special educational needs in (a) Loughborough constituency and (b) England. [56581]

The Minister of State, Department for Education (Sarah Teather): We published a Green Paper, "Support and Aspiration: A New Approach to Special Educational Needs and Disability", on 9 March, and it is out to consultation until 30 June. We will consider responses carefully before taking forward our reforms, and we will shortly invite tenders for pathfinders to test proposals in the Green Paper. Within the general framework for special needs provision, it is for local authorities to determine the particular arrangements in their areas.

Nicky Morgan: I thank the Minister for her reply and congratulate her on the excellent Green Paper. I have been contacted by a number of constituents from the Every Disabled Child Matters campaign, however. Can she explain how the Department for Communities and Local Government's review of statutory duties on local authorities fits in with the strategic role envisaged for local authorities in her Green Paper?

Sarah Teather: I thank the hon. Lady for that question. DCLG is undertaking a comprehensive review of all the statutory duties, but it is intended to remove unnecessary duties, not necessary duties, and there is absolutely no intention to downgrade those duties relating to special educational needs.

Rachel Reeves (Leeds West) (Lab): The Minister told the Education Committee last week that she thinks there will be resources for special educational needs. Children and parents deserve more than guesswork. Can she guarantee now that the Government will make sure that all children with additional learning needs have the support that they need to succeed at school?

Sarah Teather: That is exactly what the Green Paper is about, and I hope that the hon. Lady, if she has constituents who are particularly affected by our proposals, will ensure that they respond. The proposals are absolutely about making sure that children get the help that they deserve, but that is sadly not happening at the moment, partly because a lot of resources are wasted.

Adoption Rates

9. **Mark Pawsey** (Rugby) (Con): What steps he is taking to increase the rate at which children are adopted. [56582]

The Parliamentary Under-Secretary of State for Education (Tim Loughton): The Government and I are very concerned that adoption has lost momentum in recent years, and that is why we have launched a programme of reform. This has included setting up a ministerial advisory group, writing to directors of children's services and lead members, publishing revised guidance, and launching an adoption data pack to support and challenge local authorities. We are also funding two voluntary sector projects to improve adoption practices and helping to promote adoption through National Adoption Week.

Mark Pawsey: I thank the Minister for his answer and his support for the great work done by adoptive parents, and I welcome the Government's work to increase adoption. He will be aware, however, of concerns about the security of the personal information of adoptive parents. Does he accept that without appropriate safeguards, parents may be discouraged from adopting? Will he take this opportunity to assure me and others that he is taking all possible steps to ensure that adopters' personal information is properly protected?

Tim Loughton: I echo my hon. Friend's support for the fantastic dedication of prospective adopters and people who take on that great responsibility. I know of his great interest in this area. He is absolutely right. I do not want to see anything that stands in the way of people coming forward and offering themselves to give safe adoptive placements to vulnerable children. He has raised this issue with me before in an Adjournment debate. I give him an undertaking that we will see if there are any problems in this area that are undermining the system.

Citizenship Teaching

10. **Caroline Dinenage** (Gosport) (Con): What plans he has for the future of citizenship teaching in schools. [56583]

The Minister of State, Department for Education (Mr Nick Gibb): We are currently reviewing the national curriculum with a view to slimming it down and focusing it on the essential knowledge that all children should acquire. Beyond that, it should be for individual schools to design a curriculum that best meets the needs of their pupils. The review is considering which subjects, beyond English, maths, science and physical education, should be part of the national curriculum in future, and we will announce our proposals early next year.

Caroline Dinenage: Fareport Training Organisation in Gosport has been nominated as a community champion for its amazing work in using citizenship education to help to engage post-16 students who have been disengaged with the traditional school system. Given what these classes have taught these students about their role in society and the value of democracy, does the Minister think that they would have enormous value in delivering the big society?

Mr Gibb: My hon. Friend is right. Citizenship is an important subject, and schools have an important role to play in encouraging young people to become responsible citizens and active members of society. I welcome what she says about her school. The Government are fully committed to empowering young people to become active citizens. That is the intention behind the launch of the national citizenship service programme last year.

Fiona Mactaggart (Slough) (Lab): The Minister will be aware of his own Government's violence against women and girls strategy and the excellent report from the Select Committee on Home Affairs, both of which have highlighted the importance of education in schools in preventing violence against women and girls. What steps is he taking to make sure that that plan is delivered in our schools?

Mr Gibb: This is one issue that will be addressed in the national curriculum review. The issues that the hon. Lady raises are very important and have been given a very high priority by this Government. We share her concerns and we agree with the importance of raising these issues at school level. That is precisely what the national curriculum review will examine.

Dan Rogerson (North Cornwall) (LD): The schools White Paper introduced an internal review of PSHE—personal, social and health education—teaching. Will the Minister update the House on the progress of that review?

Mr Gibb: My hon. Friend will be pleased to know that we will shortly make an announcement on the details of the internal review.

Discretionary Learner Support Fund

11. **Lisa Nandy** (Wigan) (Lab): Whether the guidelines he plans to produce for the discretionary learner support fund will have a statutory basis. [56584]

The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes): As with the education maintenance allowance, guidance on the 16-to-19 bursary fund, whose establishment is provided by the Secretary of State pursuant to section 14 of the Education Act 2002, will be issued by the Young People's Learning Agency pursuant to its statutory powers under section 72 of the Apprenticeships, Skills, Children and Learning Act 2009.

Lisa Nandy: Surely the Minister accepts that there is an urgent need for young people to have certainty as they make decisions about whether to go to college this year. Given that his own Department's equality impact assessment said that the shift to a discretionary system could leave the door open to unintended discrimination, how will he ensure that decisions about allocation of funds are fair to students and do not leave colleges to prosecution under the equalities law?

Mr Hayes: By her own description, the hon. Lady is a champion of fairness, and she has been consistent in her critique of these matters. We expect schools and colleges to have regard to the guidance. They will also have to comply with equalities legislation, which means that they must not discriminate against their students on the basis of their protected characteristics, and they are subject to the public sector equality duty in section 149 of the Equalities Act 2010.

Academies

12. **Eric Ollerenshaw** (Lancaster and Fleetwood) (Con): How many schools had converted, or applied to convert, to academy status in (a) Lancaster and Fleetwood constituency and (b) England on the most recent date for which figures are available. [56585]

The Secretary of State for Education (Michael Gove): Three schools have applied and have opened as academies in Lancaster and Fleetwood. Those schools are Lancaster royal grammar school, Lancaster girls grammar school and Ripley St Thomas Church of England high school. The total number of open academies stands at 658, and more than 1,000 schools in England have applied to convert to academy status since June 2010.

Eric Ollerenshaw: I congratulate my right hon. Friend on that success, and I thank him and his officials for their help with regard to Lancaster. Will he ensure that every assistance is given to schools that specialise in teaching children with special educational needs so that they can enjoy the benefits of academy status?

Michael Gove: I absolutely share my hon. Friend's commitment to ensuring that all children, particularly those who have special educational needs, can benefit from these additional freedoms. I am working with the Minister of State, Department for Education, the hon. Member for Brent Central (Sarah Teather) to bring forward proposals to allow special schools to become academies.

Kate Hoey (Vauxhall) (Lab): The academy programme shows that the one-size-fits-all school is not what we need. May I congratulate the right hon. Gentleman on his support for the groundbreaking boarding school element of Durand academy in my constituency? It will be the first free state boarding school for people from the most deprived areas, and the people of that school and the people of my community will welcome it.

Michael Gove: I am grateful to the hon. Lady for the points that she makes. She is a consistent champion of helping people from poorer backgrounds to do better in state education. I place on the record my thanks to her for the support that she has given the outstanding team of teachers at Durand academy. I hope that this new initiative ensures that the children at that school continue to have an education of the highest quality. I am sure that we can make common cause of our shared commitment to ensuring that children from poorer backgrounds enjoy the sort of education previously restricted to those from richer backgrounds.

Maintained School Buildings

13. **Tony Lloyd** (Manchester Central) (Lab): What recent assessment he has made of the condition of maintained school buildings. [56586]

The Secretary of State for Education (Michael Gove): The Department for Education and Skills took the decision to no longer collect information on the condition of maintained school buildings in 2005 under the previous Government. The review of education capital undertaken by Sebastian James recommends the implementation of a rolling programme of condition data collection to provide a picture of investment needs. To help us consider our response to that recommendation, we have recently asked some local authorities to provide details of the condition information that they currently hold on their estates.

Tony Lloyd: I think the House will recognise that that answer is only marginally helpful. Under the last Labour Government, a lot of secondary and primary schools in inner-city areas such as mine were rebuilt. At the moment, it is very unlikely that any primary schools, even those in great need, will see rebuilding or major refurbishment programmes. When will the money be available to those schools to ensure that children in inner cities get the education they deserve?

Michael Gove: I will say two things. First, I recognise that many schools are in a desperately poor condition and need investment. Secondly, any question about investment can only elicit the reply that the Minister of State, Department for Education, my hon. Friend the Member for Bognor Regis and Littlehampton (Mr Gibb) gave earlier, which is that when Opposition Members ask for more investment, they should ask themselves one question: who is responsible for the desperate state of the economy that we inherited after 13 years of comprehensive mismanagement?

Sir Alan Beith (Berwick-upon-Tweed) (LD): My right hon. Friend made his own personal assessment of the state of the buildings at the Duchess's community high school in Alnwick, and he pronounced them to be pretty dreadful. When will there be a capital programme to which we can bid for those schools that are most urgently in need of rebuilding?

Michael Gove: My right hon. Friend has made his case consistently and well. I hope to make an announcement about our response to the James review before Parliament rises for the summer recess. That will give explicit details about how we can make available resources for schools whose condition and fabric deserve urgent attention.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): In March this year, the Minister of State, Department for Education, the hon. Member for Bognor Regis and Littlehampton (Mr Gibb) kindly visited St John Bosco arts college in my constituency. In the Government's announcement before the summer on their response to the James review, will they state that schools in areas of high social and economic deprivation will still benefit from higher capital support from Government?

Michael Gove: I know that the Minister of State was impressed by the commitment shown by the teachers and parents at the school he visited. The hon. Gentleman has put his case throughout fairly and well. We will do everything that we can to ensure that the schools in the greatest need receive money. We have to prioritise schools where the fabric is most in need of support. As ever when thinking about revenue and capital allocations, deprivation is one of the central factors that we will consider.

Careers Guidance

14. **Alok Sharma** (Reading West) (Con): What steps he is taking to improve the standard of careers guidance available in schools. [56587]

The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes): Subject to the passage of the Education Bill, schools will be under a new duty to secure access to independent and impartial careers guidance for their pupils from September 2012. Also, an unprecedented degree of co-operation with the careers industry means that we will have new professional standards, training and accreditation.

Alok Sharma: I thank the Minister for his work in this area. Does he agree that more businesses also need to work in partnership with schools to provide careers advice? Will he join me in applauding the companies that are backing the futures fair that I and others in my constituency are putting together for secondary schools in Reading?

Mr Hayes: I am well aware, as you, Mr Speaker, and the whole House will be, of my hon. Friend's commitment in that regard. Indeed, on 29 September, under his leadership, Reading West schools and others will be holding a futures fair. It is critical that that becomes the norm, not the exception, with businesses, schools, careers guidance bodies and Government working together to turn people's ambitions into reality.

Mr Iain Wright (Hartlepool) (Lab): Why did the Minister not have a transition plan in place for his changes to careers guidance, and what estimates has he made of the number of young people who will be affected this year by the absence of such a plan?

Mr Hayes: The hon. Gentleman knows that the Education Bill is going through the House—I have a copy for him here, just in case he has forgotten its contents. He also knows that on the subject of transition I have written to every local authority in the country—again, I have a copy of the details here—and to schools, letting them know what provision they need to put in place in anticipation of their new duty this September.

Connexions

15. **Karl Turner** (Kingston upon Hull East) (Lab): How many people he expects to be made redundant as a result of the closure of Connexions services; and if he will make a statement. [56588]

The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes): The move from Connexions to more effective arrangements for careers guidance will present challenges as new opportunities emerge. Those challenges will, of course, be resolved at local level. It is for local authorities themselves to decide what provision they should make for young people, taking into account their statutory duties and the advice that they have received from me.

Karl Turner: The good people of Hull have just kicked out the Liberal Democrat council, and with it the Tory-led policy of pulling funding for Connexions. Will the Minister congratulate the new council leader, Steve Brady, on overturning that vicious Tory policy and looking after young people in the city?

Mr Hayes: Not only will I congratulate him, but I would be pleased to meet him with the hon. Gentleman to discuss these issues, such is the ecumenical way in which the Government treat important matters involving young people's hopes and futures.

Julie Hilling (Bolton West) (Lab): How will the Minister consult young people about the changes to the careers and Connexions service, as he has a statutory duty to do?

Mr Hayes: The hon. Lady will know that I have agreed to, and indeed already conducted, a meeting with young people to consider exactly what they want out of the system. I intend to spread those summits to other locations across the country so that we can shape the service to meet young people's needs, for as John Ruskin said:

> "The highest reward for a man's toil is not what he gets for it, but what he becomes by it."

Mr Speaker: We look forward to the Minister's summit-spreading.

Directors of Children's Services

16. **David Wright** (Telford) (Lab): What recent assessment he has made of the merits of local authorities having a director of children's services; and if he will make a statement. [56589]

The Parliamentary Under-Secretary of State for Education (Tim Loughton): A working group of representatives from the Department for Education and key stakeholders from the local government sector was set up earlier this year to consider the role of directors of children's services. The group is developing a range of options. Of course, Professor Munro also considered the matter in conducting her review of child protection, published last week, and I plan to consider her recommendation alongside the options appraisal that is being drawn up by the working group.

David Wright: Is it not of crucial importance that every top-tier local authority has a director of children's services? Children's safety has to be a priority right across the House and the country. Why are Telford Conservatives opposing the appointment of a director of children's services in Telford and Wrekin council, of which we have just taken control with a whopping majority?

Tim Loughton: I am sure my hon. Friend the Minister for Further Education, Skills and Lifelong Learning will be delighted to meet the new leader of the hon. Gentleman's council, as well, at some stage in the future.

I remind the hon. Gentleman that the recommendations of the Munro report will be considered with the working group that we have already established, as we decide on the best way forward in delivering children's services in local authorities. We will ensure that children are given the very best protection, which we know we need to improve.

Mr Peter Bone (Wellingborough) (Con): If there are to be directors of children's services, should not one of their roles be to identify and protect children who have been victims of human trafficking, which is not done at present?

Tim Loughton: I want to raise the profile of the whole issue of the trafficking of children and the sexual exploitation of children—another important issue, on which we are working closely with Barnardo's and stakeholders—and to ensure that we have much better inter-agency working. In Professor Munro's recommendations, local safeguarding children boards have a key role to play. That might be considered alongside what the director of children's services does in any case.

Toby Perkins (Chesterfield) (Lab): The Opposition welcome Professor Eileen Munro's report, and specifically her recommendation that the role of director of children's services is protected. We recently surveyed every director of children's services in England, more than 80% of whom said that the ability to safeguard children in their area would be reduced by cuts to police, mental health services or primary care. Does the Minister acknowledge the worries of those directors of children's services that cuts to those services will impact on the ability of councils to safeguard their children, and what is he doing to represent those views to his ministerial colleagues?

Tim Loughton: If the hon. Gentleman has read the Munro report, he will know that she identifies as the biggest enemy to protecting children better the bureaucracy that has gone into the system, whereby social workers at the sharp end with other key agencies and professionals spend up to 80% of their time in front of computer screens, complying with processes rather than getting out into the field and dealing with the vulnerable families and children whom they went into the profession to protect. That is what we want to happen in future, and I hope it will happen as we take forward the Munro review, in the best interests of protecting the vulnerable children who are not nearly safe enough now.

Bursary Fund

17. **Nic Dakin** (Scunthorpe) (Lab): How much funding will be available through the 16-to-19 bursary fund in the 2011-12 academic year for students starting their courses in September 2011 after allocation of the amount guaranteed for vulnerable groups. [56590]

The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes): We expect the cost of providing a £1,200 bursary to the most vulnerable young people to be just under £15 million in 2011-12. In addition, just over £101 million in 2011-12 will be allocated to schools, colleges and training providers for them to make discretionary awards to students. As the hon. Gentleman knows, we are also putting in place transitional funding.

Nic Dakin: In evidence to the Select Committee on Education last week, the chief executive of the Association of Colleges made it clear that to support young people properly, schools and colleges ought to have known six months ago how much money they would get. They still do not know how much money they will get. When will they know?

Mr Hayes: What colleges do know is that the Government are providing just over £194 million in 2011-12 in the transitional support that I have described. Of course, the change that we are describing is a change towards greater discretion. I was with the gentleman to whom the hon. Gentleman refers, and I know how much he welcomes that additional discretion, so that the system can become more responsive, dynamic and suited to need.

Andrew Bridgen (North West Leicestershire) (Con): We have heard that under the new arrangements, schools and colleges will have flexibility on who qualifies for support, but will my hon. Friend confirm that disadvantaged students in my constituency will get the help that they need to enter further education?

Mr Hayes: My ambition—I do not say "targets", because "targets" is not a word that this Government use—is to ensure that no one is prohibited from achieving their potential because they do not have adequate means to do so. That spirit underpins all we do.

Angela Smith (Penistone and Stocksbridge) (Lab): Barnsley college is an outstanding college, as judged by Ofsted, and it would like to support young people from low-income families by giving them free school meals, free transport and help with books and equipment. Will the Government guarantee that they will give Barnsley the funding to deliver that to its young people, to enable them to fulfil their potential?

Mr Hayes: I will tell the hon. Lady what I will guarantee. I will guarantee that colleges can make those kind of discretionary decisions. She is right: different colleges in different areas, serving different cohorts, need funds to support different kinds of activities to deal with different challenges. That is exactly the kind of flexibility that we intend to help her college and her learners.

Arts and Culture

18. **Mr Don Foster** (Bath) (LD): What steps he is taking to improve the standard of arts and culture education in schools. [56591]

The Minister of State, Department for Education (Mr Nick Gibb): We want all children and young people to be able to experience a strong cultural education. Following the review of music education, the Government have asked Darren Henley to carry out a review of cultural education, both in and out of school.

Mr Foster: The Minister will recognise, however, that the creative industries are crucial to the country's economic recovery. Is he aware that many of the leaders of those industries remain to be convinced that sufficient is being done to include within the national curriculum the subjects that really matter to them—art, design, technology and so on? May we have a categorical assurance that guidance has been given to the national curriculum review to ensure that those subjects are included properly?

Mr Gibb: The national curriculum review is considering which subjects should be compulsory at which stages of a pupil's education, and it will make its recommendations in due course. However, just because a subject is not in the national curriculum does not mean that it is not an important subject. It can be important but outside the national curriculum. We have to distinguish between the national curriculum and a school curriculum. We want to give schools more discretion in drawing up school curricula.

Tristram Hunt (Stoke-on-Trent Central) (Lab): Given that academy schools have been among the worst offenders in putting pupils from poorer income families on to grade-inflating, semi-vocational courses, how will the expansion of academies further the take-up of English baccalaureate subjects?

Mr Gibb: The hon. Gentleman has raised this issue on several occasions, and we share his concerns. In most instances, academies have taken over schools in deprived areas and in challenging circumstances, and mostly those schools have been badly underperforming. Academies are transforming the quality of education in those areas at twice the pace of mainstream schools across the system. We share his concerns, however, and the introduction of the English baccalaureate measure will go a long way to ensuring that schools in the most challenging parts of the country start to deliver academic education for children who have been denied those opportunities to date.

Topical Questions

T1. [56598] **Tony Lloyd** (Manchester Central) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Michael Gove): One of my Department's aims is to ensure that the most talented people possible are teaching our children. Teachers from the European economic area can already teach in our schools. Today I want to extend that freedom to teachers from Commonwealth countries such as Canada, New Zealand and Australia, and I hope that other Commonwealth countries such as South Africa, Jamaica and Singapore can join in due course.

Tony Lloyd: Would the Secretary of State like to compare the answer of the Minister for Further Education, Skills and Lifelong Learning, when he talked about the ecumenical nature of the Government in wanting to meet the needs and hopes of young people in education, to his own horribly brazen party political response, when I asked him about school building for children in inner-city areas? Will he come to Manchester and see some of these schools so that we can discuss how to improve the situation?

Michael Gove: My hon. Friend the Minister for Further Education, Skills and Lifelong Learning is blessedly ecumenical, but I am afraid I am sometimes more narrowly Presbyterian in my approach. However, it would be a pleasure to visit Manchester again. I have enjoyed it in the past, and I know that when it comes to speaking up for his constituents, the hon. Gentleman does a great job. I would be happy to work with him.

T4. [56601] **Stephen Barclay** (North East Cambridgeshire) (Con): Does my right hon. Friend accept that there is unfairness in the level of per pupil funding for Cambridgeshire schools when set against the national average? Will he join me in urging schools across Cambridgeshire to respond to the Department's consultation on school funding reform, which finishes on Wednesday?

Michael Gove: Yes and yes.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): Will the Secretary of State join me in condemning the mean-spirited actions of Tory-controlled Wandsworth council, which plans to introduce a charge of £2.50 for children to play in a publicly funded playground? Children there play together regardless of income or background, and for many local children the playground is their back garden, because they live in high-rise flats. Is this localism in action, or will the Secretary of State assure the House that the Government will press councils to ensure that this is not a slippery slope towards a price tag on playtime? *[Interruption.]*

Michael Gove: As my hon. Friends point out, a slippery slope is often something we would want in a playground. In fairness, however, as the hon. Lady pointed out, we want to ensure that children have the opportunity to play and enjoy play without fees or bureaucracy getting in the way. It is one of the responsibilities of local authorities to ensure that children have an opportunity to play freely, but it is also the responsibility of central Government to sweep away some of the ridiculous health and safety regulations that the previous Government put in place to prevent our young children from enjoying themselves properly.

T6. [56603] **Mr Philip Hollobone** (Kettering) (Con): Within just a few weeks of beginning their initial recruit training courses for the Army, Royal Navy or Royal Air Force, individuals joining the forces who have been let down in the areas from which they come have had their educational attainment transformed. What lessons can mainstream schools learn from Her Majesty's armed forces?

Michael Gove: That is a brilliant point from my hon. Friend, who, as some may know, is a Territorial who served in the Parachute regiment. Our proposal to allow people who have been in the armed forces to enter the classroom—our Troops to Teachers programme—will ensure that precisely the sorts of virtues that he talks about become more widespread and are targeted at the most disadvantaged children.

T2. [56599] **Kerry McCarthy** (Bristol East) (Lab): Bristol is facing a crisis in primary school provision, with an estimated shortfall of at least 3,000 places by 2015. Instead of supporting gimmicky measures such as the 150 places at the new secondary free school in Bristol, will the Minister concentrate on the real needs of parents and pupils in Bristol, and help us get primary school provision in place?

Michael Gove: I note that the hon. Lady is opposed to new secondary school provision in Westbury on Trym. I am sure that her constituents will want to know that she is against an excellent new secondary school—that is very instructive to know—and that she is diverging from the view of her Front-Bench colleagues, who I think are in favour of free schools. There is an urgent need for more primary school places. The last Government were warned by the Office of Government Commerce that they needed to act, but they failed to do so. That is why all local authorities are receiving more money from us to provide more school places for primary school children.

T7. [56604] **Christopher Pincher** (Tamworth) (Con): In Tamworth and around the country, A-level students are now preparing for their examinations, and many will have offers of university places based on their predicted results. Is it not time that we ended this unsatisfactory arrangement and timetabled university applications to come after A-level examinations and results, thereby ending the bureaucracy of clearing?

Michael Gove: It is an intriguing idea. It is not quite as simple as it seems, but we and colleagues at the Department for Business, Innovation and Skills are looking into it.

T3. [56600] **Clive Efford** (Eltham) (Lab): Following the abolition of education maintenance allowance, further education colleges are finding it difficult to plan ahead for pupils on low incomes, those who may have been on free school meals and those from low-income households. How on earth will colleges be able to plan ahead if they are not receiving information about the people trying to enrol? Can the Minister say what he is going to do about that?

The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes): That is a perfectly fair question. It is important that colleges have information as soon as possible to make the kind of provision that the hon. Gentleman suggests. I will ensure that further discussions take place between my officials and colleges to guarantee that they have that information.

T8. [56605] **Andrew Stephenson** (Pendle) (Con): Does the Secretary of State agree with Ofqual that the OCR—Oxford, Cambridge and RSA Examinations—GCSE history pilot should end? Shaun Connelly, the head of humanities at Colne Primet high school in my constituency, has contacted me, as he believes that the course has allowed students of all abilities to achieve their potential in history.

Michael Gove: A judgment about which qualifications should or should not count is properly a matter for Ofqual, the independent regulator. One of the points that it makes is that although that particular qualification may have some teaching attractions, only 25% of the content is assessed by an external exam at the end; 75% of it is teacher-assessed. Many of us would argue that the balance between teacher assessment and external assessment should be got right, and that we should have more external assessment.

T5. [56602] **Diana Johnson** (Kingston upon Hull North) (Lab): Under the Protection of Freedoms Bill, an individual who is barred from working with children can volunteer in the classroom. The school will not be notified that that person has been barred by the independent safeguarding authority. Many parents are worried about this development. Is the Minister?

The Parliamentary Under-Secretary of State for Education (Tim Loughton): I am grateful to the hon. Lady for that point. We are working on a number of scenarios to ensure that people who are not entitled to work should not be there. However, it is up to everybody to be vigilant—not least the head of a school—and to take appropriate references on the background of the person concerned. I would much rather have a system with a common-sense and proportionate approach which does not drive out adults who willingly want to give up their time to work with young people and make them into better members of our community, and not wrap them in cotton wool.

T9. [56606] **Mr Dominic Raab** (Esher and Walton) (Con): A survey for the Prince's Trust shows that one in five children from deprived homes believes that they will end up in "dead-end jobs". Does the Minister agree that this highlights the importance of implementing the Wolf review, and in particular recommendation 7, which says that the lowest-attaining learners should focus on English and maths, backed up by practical work experience?

Mr Hayes: I am familiar with the Prince's Trust report to which my hon. Friend refers. It does indeed describe the under-achievement that he highlights, but it also says that often people do not get adequate advice and guidance—the wherewithal that they need—to achieve their ambitions. That is precisely why we are so committed to filling that gap.

T10. [56607] **Paul Blomfield** (Sheffield Central) (Lab): Head teachers of eight secondary schools serving children in my constituency have taken what they describe as the unprecedented step of writing to the parents and carers of years 11 and 12 students about the impact of Government cuts on sixth-form funding. They are considering cutting the range of courses, increasing class sizes, ending the teaching of some subjects, and reducing guidance and enrichment sessions. They say in their letter:

"we have never been subject to cuts of this magnitude,"

which—

Mr Speaker: Order. I think that we have got the drift of the question.

Paul Blomfield *rose—*

Mr Speaker: Order. Enough.

Michael Gove: I am grateful to the hon. Gentleman for drawing my attention to that letter; I hope that he will send me a copy. I know that he is a new Member, and that he is passionate about raising standards in his constituency, but the reductions in public spending are a direct consequence of the mistakes that were made by the Government who preceded us. I am afraid that the reply that he should give to that letter should graciously acknowledge that fact.

Penny Mordaunt (Portsmouth North) (Con): Too many special needs children are being denied education because a school place travel grant or a statement has either not been granted or not been honoured. Is it not time, when there is clear evidence of special educational need, that we allow a child's educational funding to follow them to their school of choice, whether or not they have a statement?

The Minister of State, Department for Education (Sarah Teather): The proposals in the Green Paper that we are consulting on aim to make it clearer when a child should have a statement. Schools should therefore be much clearer about what is normally available, and I hope that that will make it easier for parents and schools to understand whether there should be a statement. The new proposals for an education, health and care plan ought to join up funding to make things much simpler for families.

John Cryer (Leyton and Wanstead) (Lab): Further to Question 13, we have been told for nearly a year that an announcement on the replacement for Building Schools for the Future is imminent, yet we are still waiting. We are now being told that there might be one before the summer recess. The fabric of some schools continues to crumble, and a few are now in a dangerous state. Will we hear an announcement in the next couple of weeks telling us exactly where we are going to be?

Michael Gove: No, I am afraid. I would make two points. Over the comprehensive spending review period we will be spending more every year on school capital than the previous Government spent in every year of their first eight years. It is therefore simply wrong to say that there is no investment in school buildings, because it will be greater than it was in the first eight years under the previous Government. Also, more than 700 schools in the BSF programme are still having their renovation work carried out. Of course we would like to do more, but our capacity to do so is impeded by the bureaucratic mess that we were left by the last Government and by the fact that there simply was not any money left after their comprehensive mismanagement of the economy.

Amber Rudd (Hastings and Rye) (Con): Schools in Hastings have been bitterly disappointed by the recent decision of the local authority, guided by the schools forum, to devolve £1.4 million of excellence cluster funding that had been intended for the most deprived schools. It is now to be shared throughout East Sussex. The rationale appears to be that the pupil premium will make up the additional costs. Can the Secretary of State please clarify whether additional funds from the pupil premium are considered as part of the overall funding when the assessment is made of the minimum funding guarantee?

Michael Gove: I have to say that I am very worried about that. I know that it is a Tory authority, but it sounds to me as though it is doing the wrong thing.

Alison McGovern (Wirral South) (Lab): Good careers advice is absolutely vital to those at risk of falling into neither earning nor learning. Following the demise of Connexions, will the Secretary of State say who will own the administrative data, counting in real time the numbers of young people who are not in education, employment or training?

Mr Hayes: The hon. Lady is right about good careers guidance, but she will know that a survey conducted by Edge found that 51% of young people regarded the advice from Connexions as inadequate. In moving to the new service, we will of course take on board those data, but we are also putting into place for the first time an all-age database to give people the advice they need in order to fulfil their potential.

Bob Russell (Colchester) (LD): We all agree with education for life, but will the Secretary of State find time to provide education for saving life as part of the school curriculum?

Michael Gove: My hon. Friend has lent his considerable weight to that campaign and it is important, whether we are thinking about swimming and physical education or more broadly, that we do everything we can to ensure that life-saving and first aid skills are part of what happens in our schools.

Mr Dennis Skinner (Bolsover) (Lab): Twelve months ago, the Secretary of State said that there was a compelling case to rebuild Tibshelf school. Meanwhile, the teachers are travelling 6 miles every day, tramping between two schools—Tibshelf and Deincourt in North Wingfield—yet we have heard nothing more from the Secretary of State. It sounds to me as though, like many of us, he is very good at talking the talk, but in government, you are supposed to walk the walk. When is this going to happen?

Michael Gove: It is good to see the hon. Gentleman walking the walk without any mechanical or medical aid of any kind whatever; we are all reassured to see him in fine form. I have to say that the hon. Gentleman, as a former grammar school boy himself, should accept one thing: the difficult economic situation that we inherited and the difficult position that Derbyshire county council put us into after years of Labour rule mean that it is very difficult for us to do the work necessary to repair the school which needs our support so desperately.

Mr Andrew Turner (Isle of Wight) (Con): What happens to children under seven when they are the only ones sent to another village because there is no place for them in the local school?

Michael Gove: We are doing everything possible with our reform of the school admissions code, which will be published shortly, to ensure that all children have a high-quality school place. I know that my hon. Friend has argued vigorously to ensure that every child on the Isle of Wight has a school of high quality close at hand. I look forward to working with him and the council.

Bill Esterson (Sefton Central) (Lab): Parents, staff and students across Sefton have raised concerns about the plans to create academies. Does the Secretary of State understand the need to gain support from parents, staff and students—and, indeed, the wider community—before converting schools to academies? Will he ensure that such major and irrevocable changes cannot be carried out by governing bodies without full consultation?

Michael Gove: The popularity of academies is attested by the increasing number of parents who want their children to go to those schools. I am sure that every governing body contemplating this step will take the appropriate procedures and will ensure that this transformative change benefits all the students.

Injunctions

3.31 pm

Mr John Whittingdale (Maldon) (Con) *(Urgent Question)*: To ask the Attorney-General if he will make a statement on the granting and enforcement of privacy injunctions, particularly in light of the recent report chaired by the Master of the Rolls.

The Attorney-General (Mr Dominic Grieve): I am grateful for the opportunity to respond to my hon. Friend on an issue that I know is of considerable concern in this House as well as to the public and the media. The Government believe that freedom of speech is a cornerstone of our democracy, and that it is of the greatest importance that people should be able to discuss and debate issues as freely and openly as possible. This includes those occasions when freedom of speech is exercised provocatively, as it is supposed to be in a free country.

Plainly, however, there are also occasions when an individual is entitled to have their privacy protected. There is a balance to be struck and this is reflected in our existing legal framework. The Government recognise the importance of finding the correct balance between individual rights to privacy on the one hand and rights to freedom of expression and transparency of official information on the other. We also recognise that there are widely differing views on what that balance should be. It is in no one's interest to rush to judgment on this.

The complexity of the issue and the lack of consensus are some of the reasons why the report of the Master of the Rolls' committee on the procedural aspects of super-injunctions and anonymity injunctions published last Friday is to be welcomed, and why we will want to take on board its carefully thought through recommendations. It reaffirms that open justice is a fundamental constitutional principle, and that exceptions are permissible only to the extent that they are strictly necessary in the interests of justice. While such decisions will necessarily be made in each particular case, dependent on the facts of that case, it does offer a likelihood of some greater clarity.

The report indicates that when some degree of secrecy is necessary, the facts of the case and the reason for secrecy should be explained, as far as possible, in an openly available judgment. It also emphasises that super-injunctions—where the fact that there is an injunction, as well as the substantive issues, has to be kept secret—are now only being granted for very short periods where secrecy is necessary to ensure that the whole point of the order is not destroyed. We hope that its analysis and recommendations should help to allay concerns that super-injunctions were being granted far too readily and about their potential open-endedness.

Of course, a range of wider issues has been raised by the events of the past few months and especially the past weekend. We take seriously the need to ensure that we have the correct balance between privacy and freedom of expression. Today, the Prime Minister will write to my hon. Friend the Member for Maldon (Mr Whittingdale) recommending that a Joint Committee be established to consider how current arrangements can be improved. Such a Committee will be able to use representation of both Houses and the considerable expertise that Select Committees have to examine whether the current arrangements are working and to consider whether we might make any changes that would make things work better.

In the meantime, it is right to emphasise that just as any change in the law is a matter for Parliament, the interpretation of the law is a responsibility placed on the judiciary. Legal mechanisms exist to review individual decisions that may be mistaken. If we believe in the rule of law, it is our duty as parliamentarians to uphold those principles.

Mr Whittingdale: I welcome the report from the committee of the Master of the Rolls, which contains a number of sensible recommendations, and also the Prime Minister's decision to establish a Committee to examine all the issues surrounding the granting of injunctions and super-injunctions. Does my right hon. and learned Friend accept, however, that matters are developing very rapidly? Does he accept that the revelation on Friday of some of the details of the injunction granted to Sir Fred Goodwin raised important issues of public interest, and that that raises the question of why the injunction was granted in the first place? Does he agree that he would virtually have to live in an igloo not to know the identity of at least one premier league footballer who has obtained an injunction, and that the actions by thousands of people who posted details of it on Twitter are in danger of making the law look an ass?

In the report by the Master of the Rolls, doubt is cast once again on the right of the press to report the proceedings of Parliament. Does that not have worrying implications for the rights of Members of the House of Commons, and for parliamentary privilege?

More than a year ago, the Select Committee on Culture, Media and Sport called for the Parliamentary Papers Act 1840 to be replaced by a clear and comprehensive statute upholding the fundamental rights of the press to report what is said in this place. Will he ensure that that, too, is considered by the Prime Minister's Committee as a matter of urgency?

The Attorney-General: Let me respond to my hon. Friend's reference to individual cases by saying that he will not be surprised if I am not drawn into commenting on the matter. What I can say is that widespread public interest and, indeed, disquiet have been expressed about the events of the past few weeks and days, and that—as the report by the Master of the Rolls clearly showed—they raise the question of how a person's privacy can be balanced against the requirement for the public to be properly informed, and also the question of how injunctions may be enforced. I would add, however, that the courts have power to punish those who breach injunctions, and those who decide flagrantly to do so should bear that in mind when they embark on such a course.

The question of parliamentary privilege is not a new issue. While it is fully recognised that we have complete privilege in this Chamber to say what we like—and the Lord Chief Justice reiterated that in the clearest and most unequivocal terms in his comments last Friday—the question of the extent to which communication between a constituent and a Member of Parliament is covered by parliamentary privilege remains uncertain. What is entirely clear is that—from the judiciary's point of view as much as those of the Government and Parliament—that is an undesirable state of affairs, which is undoubtedly susceptible to both clarification and rectification if the will is there for that to be done.

Sadiq Khan (Tooting) (Lab): I thank the Attorney-General for his answer to the urgent question. I also thank the committee chaired by the Master of the Rolls for its report.

Will the Committee that the Prime Minister is to establish be a Joint Committee consisting of the Culture, Media and Sport and Justice Committees, and how soon will it report?

Until now, the Government's position on this issue has been a muddle. The Attorney-General may be aware that I raised the issue last week during Justice questions, when I reminded the Lord Chancellor about the importance of balancing freedom of expression with an individual's right to privacy. I also asked the Government to give clarity and guidance on an issue that has become increasingly confusing and where Parliament has been slow to act. In response, the Lord Chancellor said that

> "it is probably right that Parliament passing a privacy Act might well be the best way of resolving the issue".—[*Official Report*, 17 May 2011; Vol. 528, c. 137.]

However, on the following day the Culture Secretary said:

> "I don't believe a privacy law is the way forward."

The Government appear to be at sixes and sevens on their policy on privacy injunctions and freedom of the press. Will the Attorney-General clarify their position?

Does the Attorney-General believe that a new privacy law is needed? If so, how will it differ from article 8 of the Human Rights Act 1998? He will be aware that super-injunctions and anonymised orders should apply only in exceptional cases. There is a concern that they are being applied for, and granted, too readily. Does the Attorney-General believe that this report will address those concerns, and how soon will the Committee report?

Does the Attorney-General believe that the sanctions for those who break injunctions are sufficient? What are the Government's views on how the right to privacy can be balanced with the growing usage of internet-based communications such as Twitter?

Finally, being able to speak freely in the House of Commons and House of Lords is an essential part of parliamentary scrutiny. Can the Attorney-General confirm that the Government will not allow this principle to be undermined in any way?

The Attorney-General: I shall deal, so far as I can, with each point in turn. First, the Government have made it clear that it will be a Joint Committee, and have asked

> "Business Managers to establish a Joint Committee of both Houses to consider these issues. The remit will be to advise the Government on how current arrangements can be improved and put on a more sustainable footing, aiming to report in the autumn."

The Government have also

> "asked the Justice Secretary and Culture Secretary to liaise…on the Terms of Reference."

The right hon. Gentleman's second question was about privacy law. It is undoubtedly the case that it would be open to this House to enact a privacy law, if it wished. However, I have to say to the right hon. Gentleman that he misquoted my right hon. Friend the Culture Secretary, as what he actually said was:

> "We're not minded to have a new privacy law but we're not ruling out the need for legislative changes."

If I may say so, it is possible to have legislative change without necessarily having a full-blown privacy law, and this seems to me to be precisely the sort of issue that the Committee will need to consider, and in a measured and sensible fashion.

The right hon. Gentleman rightly raised the question as to whether a privacy law would make any difference to the existing arrangements. That, too, is an interesting subject for both legal and political debate, and it is precisely because that needs to take place that the suggestion has come forward that this is the best way in which to proceed.

Finally, the right hon. Gentleman asked a number of questions about enforceability. It has been clear for some time in a number of different spheres that the enforceability of court orders and injunctions presents a challenge now that information can rapidly be posted on the internet, but that does not necessarily mean that the right course of action is to abandon any attempt at preventing people from putting out information that may, in some circumstances, be enormously damaging to vulnerable people or, indeed, be the peddling of lies.

Mr David Davis (Haltemprice and Howden) (Con): May I press my right hon. and learned Friend further on the second issue raised by my hon. Friend the Member for Maldon (Mr Whittingdale): the protection of parliamentary privilege? Last week in the report and the subsequent press conference, the Master of the Rolls and the Lord Chief Justice intimated that they wanted the House of Commons to extend the sub judice rules in order to restrict the use of freedom of speech under parliamentary privilege in this House and/or the reporting of it. Had that applied in 2009, the public would not be aware today of the Trafigura super-injunction and this whole issue would not have come to light. Can my right hon. and learned Friend please ensure that these proposals by the Master of the Rolls and the Lord Chief Justice do not in any way restrict either our rights or the rights of the press to report?

The Attorney-General: I have to say to my right hon. Friend that my reading of what was said is rather different. In the clearest and most unequivocal terms, both the Lord Chief Justice and the Master of the Rolls spelled out the existing fact: that the privilege we have under article 9 of the Bill of Rights is unimpeachable in any court in respect of what is said in this Chamber. The control mechanism that is put in place is, in fact, entirely dependent on yourself, Mr Speaker. That then raises the question of the extent to which there is a necessity, by convention, for comity, whereby this House, through Mr Speaker's authority, respects the rulings of other courts, being a court itself. As I understand it, there has never been any suggestion that any of the proposals being put forward call into question those basic principles. Indeed, as I pointed out in an earlier answer, the evidence is pretty overwhelming that where there is a lack of clarity in this area in terms of communication between constituent and Member of

[The Attorney-General]

Parliament, there seems to be a universal view that it would be well if we could clarify things, and the Government recognise that.

Sir Stuart Bell (Middlesbrough) (Lab): We welcome the Attorney-General's clarification, but is it not a fact that if we continue to use parliamentary privilege to usurp court orders, we are not only bringing Parliament and the courts into conflict, but interfering with the separation of powers. Is that desirable or is it not?

The Attorney-General: I would assume that across the House it would be considered that the abuse of parliamentary privilege to subvert court orders made with the express intention of implementing Parliament's legislation through the courts is improper. Ultimately, however, that is a matter for this House and Mr Speaker to regulate, and it is through our own mechanisms that we do so; that is the right and privilege we have. I certainly agree with the hon. Gentleman that it is a privilege that must not be abused.

Sir Alan Beith (Berwick-upon-Tweed) (LD): We would expect a Joint Committee to uphold the necessary rights of Parliament and defend them, but would any Committee not also have to look at the separate question of whether it can be right for someone to use Twitter or electronic media of other kinds to place something in the public domain with the express intention of allowing it then to be reported?

The Attorney-General: The right hon. Gentleman raises an important point, but it ties in with the earlier point about how all this can be enforced. As I said earlier, however, those who take an idea that modern methods of communication mean that they can act with impunity may well find themselves in for a rude shock.

Keith Vaz (Leicester East) (Lab): I, too, welcome the establishment of this Joint Committee, which is sensible in view of the difficulties in interpreting the law. There are reports that the Attorney-General is considering prosecuting an individual for a breach of one of these injunctions. Is that the case? Is he considering such a prosecution?

The Attorney-General: I would not normally comment on the role I have to carry out as Attorney-General in the public interest and not as a Minister of the Crown, but there is no secret in the fact that, as matters stand, I have received no referral whatsoever in relation to any civil contempt of court.

Mr William Cash (Stone) (Con): Does the Attorney-General accept that the fault in this case lies with Parliament itself in not repealing the Human Rights Act 1998? As the then shadow Attorney-General, I advocated doing that and it remained Conservative policy until the general election. Does he accept that it is about time that we legislated on our own terms in Westminster to deal with these matters, and in terms of parliamentary privilege, to ensure that the British voter actually sees legislation that is what he wants and that we have British law for British judges?

The Attorney-General: My hon. Friend raises a perfectly legitimate issue, which may doubtless be the subject of debate in this Chamber. Like me, he will recall that when we enacted the Human Rights Act the issue of the balance between privacy and freedom of expression was extensively debated. Indeed, not only was it extensively debated, but its detail was looked at, as were its possible implications in respect of introducing a privacy law into our national legal framework. Therefore, it cannot be said that the consequences that flow from it can be unexpected; I strongly suspect that he predicted them at the time, and I believe I did too.

Dr Eilidh Whiteford (Banff and Buchan) (SNP): I hope that the Attorney-General will acknowledge the independence of the Scottish courts. Will he confirm that no application was made for an interdict at the Court of Session on the news reported in the *Sunday Herald* yesterday and will he assure the House that no legal action will be taken against the newspaper or its staff?

The Attorney-General: Scotland enjoys and has always enjoyed a separate legal system. It follows that orders made by the courts of England and Wales, generally speaking, do not have application there, although there are at times some exceptions.

John Hemming (Birmingham, Yardley) (LD): With about 75,000 people having named Ryan Giggs on Twitter, it is obviously impracticable to imprison them all, and with reports that Giles Coren also faces imprisonment—

Mr Speaker: Order. Let me just say to the hon. Gentleman—although I know that he has already done it—that occasions such as this are for raising the issues of principle involved, not for seeking to flout orders for whatever purpose. If the hon. Gentleman wants to finish his question in an orderly way, he may do so.

John Hemming: The question is, what is the Government's view on the enforceability of a law that clearly does not have public consent?

The Attorney-General: It is our duty as parliamentarians to uphold the rule of law.

Mr Chuka Umunna (Streatham) (Lab): I should like to return to the response to the question asked by my hon. Friend the Member for Middlesbrough (Sir Stuart Bell). Although it is right that we do not have a strict separation of powers in this country, we adhere to the principle to some degree as it is accepted that we write the laws and the courts interpret and apply them. In that context, does the Attorney-General agree that Members of this House should exercise extreme caution when, as we have in some senses just witnessed, they take it on themselves to breach court orders using parliamentary privilege when they are not fully apprised of all the evidence in the way that the judges who hear the cases are appraised? We have the power, after all, to change the law if we see fit.

The Attorney-General: Yes.

Mr Peter Bone (Wellingborough) (Con): May I take a contrary view? Members of this House have absolute privilege that they use responsibly and for judges to criticise Members of this House seems to me to be an abuse of their power. Will the Attorney-General spell out quite clearly that judges should butt out?

The Attorney-General: I have to say to my hon. Friend that I am not quite sure what they are supposed to butt out from. If he is suggesting that they should butt out from doing their duty and following the judicial oath that they take, I am afraid I disagree with him.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): Could the Attorney-General reaffirm for the benefit of all Members that if this House does not like the way the judiciary interprets law, it is up to this House to change it?

The Attorney-General: The hon. Lady is absolutely right and it is therefore open to this House and the Government to consider those issues. To return to where I started in my answer to the urgent question, a mechanism has been put in train that will, I hope, allow, on the basis of some cross-party consensus, a sensible view to be taken of how the law can be improved in this area.

Sir Menzies Campbell (North East Fife) (LD): Does my right hon. and learned Friend agree that some important issues of principle and of the constitutional rights of Members of Parliament are under discussion, as some of the exchanges have already demonstrated? Is it not now time for either the Joint Committee that he mentioned or a special Select Committee of the House of Commons to determine the boundaries of privilege in the modern day and age, some of which were touched on by the special Select Committee that examined the case of Mr Damian Green in the last Parliament?

The Attorney-General: May I reassure the right hon. and learned Gentleman that that matter is in the Government's programme? Indeed, there should be a draft Bill on that very subject before the end of the Session.

Mr Tom Watson (West Bromwich East) (Lab): The internet heralded the age of information abundance, whereas once newspapers could enforce information scarcity. Our dilemma is caused by our failure to respond to that challenge as a Parliament, so I welcome the review. Given that at least one person who took out a super-injunction is also talking to solicitors about the illegal hacking of their phones, does the Attorney-General not think that to balance this up we must consider the massive covert and illegal invasion of individuals' privacy so that we can have a framework of laws that protects people from technological invasion of their privacy while also allowing freedom of the press?

The Attorney-General: As the hon. Gentleman will be aware, the question about phone hacking is currently the subject of criminal investigation. For that reason, I am sure he will appreciate why it is not a subject on which I wish to comment further in any detail, but I will say that the Government are perfectly aware of the issue.

Philip Davies (Shipley) (Con): Surely, we cannot have a situation in which celebrities court positive publicity to gain sponsorship and other endorsements and then rush to take out super-injunctions when negative publicity comes their way. There are not many cases of people taking out injunctions regarding positive publicity. Does the Attorney-General therefore agree that what we do not need are more privacy laws, of which we seem to have plenty at the moment, and that we need freedom-of-speech and freedom-of-the-press laws?

The Attorney-General: May I say to my hon. Friend that our laws already provide very substantial protection for the freedom of the press? The question arises as to how a balance should be struck. Even before the operation of the Human Rights Act, the power of the courts to protect the vulnerable and children, for example, was well established in our law. In that sense it is not a novelty. That balance is always going to be a subject of legitimate debate and I hope that, as a result of the steps that the Government are taking, that debate will take place.

Eric Joyce (Falkirk) (Lab): The Attorney-General has rightly concentrated on matters of law but does he agree that equally important, arguably, are matters of technology? If it is not technologically possible to enforce a particular law, there is hardly any point in having that law in the first place.

The Attorney-General: I am not sure that I entirely agree with the hon. Gentleman. Ultimately, the enforceability of any order made by a court depends first on people obeying the law and, secondly, if people do not obey the law, on the capacity to bring them to justice and to make the court's order felt on them. That is a slightly different issue but, as I acknowledged earlier and as was acknowledged by the Lord Chief Justice when he gave his press statement last Friday, the multiplicity of available communication media certainly do pose a particular challenge for the courts.

Mr Robert Buckland (South Swindon) (Con): I wonder whether my right hon. and learned Friend could assist me with a point raised by the Neuberger report—the change allowing members of the media to be present when applications are made. Am I right in presuming that the press will be able to report unsuccessful applications with full details? If so, will that perhaps serve as a further check on the makers of these applications in future?

The Attorney-General: I think that will be very much a matter for the discretion of the judge hearing the case. I do not think that one could make some kind of blanket pronouncement as to how it would operate in practice, but clearly the merit of the course of action being proposed is that it would remove the element of total secrecy, which—I can well see this argument—fuels speculation and in some cases, I have little doubt, a lack of understanding as to why the application was made in the first place, whether it was successful or not.

Mr Matthew Offord (Hendon) (Con): I think that we all agree in the House that the law should be used to protect the vulnerable and not to hide the misdemeanours of those with large cheque books, but does my right

[Mr Matthew Offord]

hon. and learned Friend agree that we have found ourselves in this situation because of the behaviour of some of the newspaper press? Super-injunctions have emerged because of the ineffectual and impotent way in which the Press Complaints Commission works, but we can regulate that and give ourselves greater protection from abuse.

The Attorney-General: Looking at the matters that have been complained of recently, it seems to me fairly noteworthy that the press appear generally to observe the terms of injunctions against them. Indeed, from that point of view the injunction system appears to be quite effective; it is in other respects, such as the blogosphere and Twitter, that the difficulty emerges. What is absolutely clear is that breaches of court orders should not take place.

Mr Ben Bradshaw (Exeter) (Lab): Following on from that question, does the Attorney-General agree that members of the Press Complaints Commission are the last people who should be policing this area—an idea that has apparently been floated by the Prime Minister—given their feeble record and complete failure over the phone-hacking scandal?

The Attorney-General: The question of what role the Press Complaints Commission may play is clearly another subject that the House may wish to consider. I am not sure that I entirely subscribe to the right hon. Gentleman's very pessimistic view of the Press Complaints Commission. I have seen examples where, it seems to me, it has operated quite effectively. That is a further reason why that may be a sensible area for debate.

Mr Stewart Jackson (Peterborough) (Con): I welcome the review, but does the Attorney-General share with me the concern at the deeply sinister and Kafkaesque prospect, under the present super-injunction regime, that an unnamed journalist could be imprisoned in a secret court for having revealed the name of a hitherto anonymous personality who had a lot of money to bring that legal action? That is more like the actions of a state such as North Korea or Zimbabwe than the United Kingdom.

The Attorney-General: I am not going to comment on individual cases.

Tom Brake (Carshalton and Wallington) (LD): Does the Attorney-General agree that in seeking a solution we need to balance sensitively the right to respect for private and family life with freedom of expression and fair and public hearing, but we must avoid rushed legislation and we must as far as possible future-proof the legislation against any technological changes?

The Attorney-General: Yes, and that is why I hope the route proposed by my right hon. Friend the Prime Minister today commends itself to the House.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Does my right hon. and learned Friend agree that although we must use the naming of individuals in the House with great caution, a quick trip into the blogosphere and the Twittersphere, to use his words, would have revealed the names of those two individuals? Does he agree that what is happening in relation to injunctive law is bringing the law into wide public disrepute? Although I welcome the setting up of the committee, does he agree that ultimately there will be a need for a change in the law to clarify the matter?

The Attorney-General: As I indicated at the outset, it is possible for Parliament to enact changes to the law. The fact that the courts may not be able to and may not seek to control everything that might be said in breach of an injunction does not necessarily mean that that injunction does not have a valid purpose. It can at least limit the circulation of the damage, even if it cannot stop it. So for those reasons—we do not live in a perfect world—I do not think that the fact that an injunction can be breached and may be breached by some individuals invalidates it, although a point can sometimes be reached where a matter becomes so public and the currency so total that the existence of the injunction becomes pointless.

Mr Dominic Raab (Esher and Walton) (Con): I welcome the review. Twittergate is just the latest example of judicial legislation distorting the balance of human rights under article 8 of the European convention. There have been other examples recently, including the defeating of deportation orders under article 8 in relation to convicted criminals. The Attorney-General rightly points out that there is a big difference between judges interpreting the law and judges making new law, which is for elected representatives. Does he agree that the Human Rights Act has at least contributed to undermining that separation of powers?

The Attorney-General: In constructing the Human Rights Act, I do not think Parliament can be described as anything other than open-eyed as to what it intended to do about privacy law. It debated the issue extensively, there was a great deal of polemic on the Floor of the House, and it put in section 12 to try to emphasise that the balance should be in favour of freedom of expression. I am well aware of the fact that the way that interpretation has taken place has come in for criticism. It is also true, and the point was made by the Lord Chief Justice on Friday, that a remarkable feature of many of these orders is that they have never been appealed or taken further once they have been granted, so the development of case law in this area has as a result, on some of the matters complained of, not necessarily taken place. We clearly set out a framework and asked the judiciary to interpret it. Whether we were right or wrong to do that is a matter of legitimate public debate.

Dr Julian Huppert (Cambridge) (LD): I agree with the Attorney-General that there is a balance to be struck between privacy and freedom of expression, but does he share my grave concern that how that balance is struck seems to depend more on the wealth of the individual concerned than on the facts of the case? Will he make sure that in any legislation or any other changes that happen, all people have access to the law, regardless of their wealth, whether in this area, libel reform or any other aspect?

The Attorney-General: As my hon. Friend will appreciate, that is ultimately a matter for my colleagues in the Ministry of Justice, with regard to the legal aid framework, but it is right to say that the vulnerable in our society do enjoy legal aid in order to bring cases before the courts and, indeed, to get the help necessary to do so. It is perhaps also worth pointing out, as the Lord Chief Justice said on Friday, that a slightly odd feature of these cases, although an understandable one, is that those people in whom the media have an interest appear to be those who are very wealthy.

Rosemary Nelson Inquiry Report

4.5 pm

The Secretary of State for Northern Ireland (Mr Owen Paterson): With permission, Mr Speaker, I would like to make a statement on the report into the death of Rosemary Nelson, which is being published this afternoon. Mrs Nelson, a solicitor, was murdered close to her home in Lurgan, County Armagh, on 15 March 1999 when a bomb attached to her car exploded. Responsibility for the murder was claimed by the so-called "loyalist" paramilitary group, the Red Hand Defenders.

I will first set out the report's main conclusions before moving on to outline its findings on the Royal Ulster Constabulary, the Northern Ireland Office and the murder investigation. I will also set out the context in which this tragic event happened. The inquiry was established by the previous Government and was asked to determine

> "whether any wrongful act or omission by or within the Royal Ulster Constabulary, Northern Ireland Office, Army or other state agency facilitated her death or obstructed the investigation of it, or whether attempts were made to do so; whether any such act or omission was intentional or negligent; whether the investigation of her death was carried out with due diligence; and to make recommendations."

I would like to put on the record my thanks to Sir Michael Morland and his fellow panel members Dame Valerie Strachan and Sir Anthony Burden for their work. They have produced a detailed account of the circumstances surrounding this despicable and cowardly murder. This is a lengthy report that has cost £46.5 million and taken six years to complete. I am sure that the whole House will want to join me in hoping that it brings a measure of resolution to Rosemary Nelson's family.

The report finds that

> "There is no evidence of any act by or within any of the state agencies we have examined (the Royal Ulster Constabulary, the Northern Ireland Office, the Army or the Security Service) which directly facilitated Rosemary Nelson's murder".

The report goes on to say that

> "we cannot exclude the possibility of a rogue member or members of the RUC or the Army in some way assisting the murderers to target Rosemary Nelson",

although the panel does not provide specific evidence on this.

Those who are looking for evidence that the state conspired in or planned the death of Rosemary Nelson will not find it in this report. It does say that

> "there were omissions by state agencies, which rendered Rosemary Nelson more at risk and more vulnerable; the combined effect of these omissions by the RUC and the NIO was that the state failed to take reasonable and proportionate steps to safeguard the life of Rosemary Nelson. If Rosemary Nelson had been given advice about her safety and offered security measures, then assuming that she had accepted such advice and security measures, the risk to her life and her vulnerability would have been reduced".

The report does however recognise that

> "There is nothing that any organisation can do that will infallibly prevent a murder. What can be reasonably looked for is a reduction in the risk".

I am profoundly sorry that omissions by the state rendered Rosemary Nelson more at risk and more vulnerable. It is also deeply regrettable that, despite a very thorough police investigation, no one has been charged for this terrible crime.

[Mr Owen Paterson]

On the investigation into the murder, which was led by a senior police officer from outside Northern Ireland, the report describes it as "exhaustive; energetic and enterprising", concluding that

> "there is no evidence of any deliberate attempt by any of the organs of the state corporately to obstruct the investigation".

On the Royal Ulster Constabulary, the panel finds that

> "some members of the RUC publicly abused and assaulted Rosemary Nelson on the Garvaghy Road in Portadown in 1997, having the effect of legitimising her as a target."

The report states that

> "we believe that there was some leakage of intelligence which we believe found its way outside the RUC";

that

> "the leakage increased the danger to Rosemary Nelson's life";

and that

> "some members of the RUC made abusive and/or threatening remarks about Rosemary Nelson to her clients."

In addition, the report states that

> "in assessing whether or not Rosemary Nelson's life was at risk, RUC Special Branch failed to take into account all the intelligence and the open information available to them...RUC management negligently failed to intervene to prevent their officers from uttering abuse and threats to defence solicitors, including Rosemary Nelson...Local RUC management failed to follow through promised action to pay special attention to Rosemary Nelson's office and home addresses...there was no analysis or evaluation of intelligence relevant to Rosemary Nelson...there was a corporate failure by the RUC to warn Rosemary Nelson of her vulnerability and offer her security advice".

In relation to the Northern Ireland Office, the report concludes that

> "the NIO did not press the RUC hard enough for full replies to their questions concerning Rosemary Nelson's personal security...the NIO should have proactively questioned the RUC as to what factors were considered in producing a threat assessment...the NIO dealt in a mechanistic way with correspondence from Non-Governmental Organisations raising concerns about Rosemary Nelson's safety."

The panel, in its findings relating to the accusations of obstruction by the state in the murder investigation, identifies:

> "Special Branch gave levels of information unprecedented in the history of the RUC to the Murder Investigation Team".

The panel also finds that the investigation team had wide-ranging terms of reference and was generously resourced, but that special branch co-operation was incomplete. Special branch was, it states,

> "over-possessive about their intelligence...unjustifiably resentful and defensive about any enquiry which they interpreted as treating them as potential suspects...omitted to disclose all items of relevant intelligence".

The panel concludes, however, that

> "in the main, the investigation was carried out to a high standard, in very difficult conditions",

and says:

> "Overall, the investigation of the murder was carried out with due diligence".

The panel has chosen not to make any recommendations, pointing to

> "fundamental changes to the organisations that we have been examining and to the context within which they worked".

In particular, the panel notes:

> "The Royal Ulster Constabulary has now been replaced by the PSNI, on the lines envisaged by the Patten Commission. Many of the reforms were first proposed, and subsequently implemented, by Sir Ronnie Flanagan...Complaints against the police are now investigated by the independent Police Ombudsman for Northern Ireland, so the PSNI is not in the position of having to investigate complaints about its own officers...After the murder of Rosemary Nelson, the Key Persons Protection Scheme was amended: defence solicitors were included among those who could qualify for the scheme".

The report concludes that

> "we consider that these changes effectively deal with the systemic problems that we saw in the way that the organisations operated".

The three panel members say in their foreword:

> "We recognise that the context in which these events happened was extraordinarily difficult. We do not underestimate the problems and personal danger faced by the agencies and individuals whose work we have been examining. For example, during the Troubles, over 300 RUC officers lost their lives and over 7000 were injured; over 700 British military personnel were killed and over 6000 were injured".

At times, such personnel stood quite literally between the rule of law and the descent into anarchy. All of us owe them an immense debt of gratitude, and that is something that this Government will never forget.

The report does make criticisms of the RUC, and we should not seek to gloss over them. But it would be wrong for the criticisms in the report to be used in any way to denigrate the overall record, courage and sacrifice of the RUC. Despite the enormous progress heralded by the agreement, Northern Ireland was still emerging from 30 years of terrorist violence in 1999. With both loyalist and republican dissidents continuing to carry out attacks, the security situation remained dangerous. As the report says,

> "there were violent groups who were implacably opposed to the Peace Process who were prepared to commit sectarian murder".

In conclusion, it is clear that just as Lord Saville found no evidence of a conspiracy by the British state, and just as Lord MacLean found no evidence of state collusion in the murder of Billy Wright, so this panel finds no evidence of any act by the state which directly facilitated Rosemary Nelson's murder.

This report is a detailed and authoritative account of the circumstances surrounding Rosemary Nelson's horrific death. Politically motivated violence can never be justified. The whole House will wish to join me in condemning her vile murder and also extending our deepest sympathies to her family. I commend this statement to the House.

Mr Shaun Woodward (St Helens South and Whiston) (Lab): Rosemary Nelson was a prominent and diligent human rights lawyer who worked hard to protect the rights of her clients. Rosemary Nelson was also a mother, a wife, a daughter, a sister and a friend to many. She was killed by a loyalist paramilitary group shortly after midday on 15 March 1999. I join others in this House in offering my deepest sympathy to her family and her friends.

Today we have the final determinations of the inquiry. I thank the Secretary of State for a copy of his statement on those determinations and an advance opportunity to read the inquiry report. I also pay tribute to the inquiry chairman, Sir Michael Morland, to his panel members, and to the supporting Law Officers and officials.

The Secretary of State and I have both read the conclusion of the inquiry report, but I am afraid that I am unable to draw the same comfort about the findings and implications as he has done in his statement. The inquiry raises very serious issues about the police and about the Northern Ireland Office. In recognising this inquiry's criticisms about policing, the inquiry does not take away our profound admiration for the outstanding courage and bravery of the men and women of the police family—and that of course includes the RUC—and of the Northern Ireland Office, at which I have had the privilege to be Secretary of State. I record again my thanks for the outstanding professionalism and fairness with which it was my experience to work at first hand.

However, this inquiry makes uncomfortable reading for both agencies. These agencies have undoubtedly, by what they have done, ensured that many lives have been protected from terrorist target. Indeed, we will never know just how many people might have been killed or how many people alive today were targets. However, we can be grateful to these agencies and at the same time set apart wrongdoing and failings. What is clear is that in the case of Rosemary Nelson, her death was not inevitable. The Secretary of State quoted from the report:

> "There is nothing that any organisation can do that will infallibly prevent a murder. What can be reasonably looked for is a reduction in the risk".

Well, that reduction was not reasonable. The risk could have been reduced, and it was not reduced. There were failings.

It is important to separate out the investigation into Mrs Nelson's murder, which the inquiry described as "exhaustive, energetic and enterprising", although

> "not perfect in every respect",

and, equally importantly, the fact that the inquiry found "no evidence of any" organisations of the state attempting

> "to obstruct the investigation of the murder".

We can distinguish this from the failure of measures to protect her life which brought about her murder. Here we have very uncomfortable reading—more uncomfortable than I think the Secretary of State recognises. It is uncomfortable for the RUC and the NIO of that time. Having reached that view, questions should also be asked about the process of threat assessments even today.

The report disturbs me. Given what was known, why was Rosemary Nelson not protected? That is our question. The report states:

> "She was a very public figure and thence an obvious trophy target."

The inquiry concluded:

> "Any reasonable, thorough and objective assessment could only have reached the conclusion that general intelligence, circumstances and recent events indicated that Rosemary Nelson was at significant risk."

On the RUC, the inquiry found that "management negligently failed", that "local RUC management failed", that there was

> "no analysis or evaluation of intelligence in relation to Rosemary Nelson",

and that there was

> "corporate failure to warn Rosemary Nelson of her vulnerability."

Of the NIO, the inquiry found that there were omissions rather than commission. The NIO did not press the RUC hard enough for full replies on Mrs Nelson's security, it did not press the police on disparities between what the NIO was being told about the threat and what the RUC had concluded in its threat assessments, and it was too mechanistic. Crucially, the inquiry says of the NIO that

> "there is no evidence of any internal policy discussion about the treatment of defence lawyers in general or Rosemary Nelson in particular."

All this taken together is damning. As the inquiry concludes:

> "The combined effect of these omissions by the RUC and the NIO was that the state failed to take reasonable and proportionate steps to safeguard the life of Rosemary Nelson."

It continues:

> "If Rosemary Nelson had been given advice about her safety and offered security measures, then assuming she accepted such advice and security measures, the risk to her life and her vulnerability would have been reduced."

A worrying feature of the report is the incompleteness, or what some might see as evasiveness, in giving proper answers to reasonable questions from the inquiry. The inquiry states that it was not told that special branch

> "did not maintain a paper file on Rosemary Nelson".

Indeed, when Colin Port, who led the investigation into the murder asked about that,

> "he was given an incomplete answer, and as regards whether Rosemary Nelson had an SB number, an incorrect one."

In fact, the inquiry found that Mrs Nelson had not one number, but two. It was told that if she had had a special branch number, a special branch file would most likely have been created. The inquiry generously says:

> "We cannot exclude the possibility that a paper file on Rosemary Nelson did at one time exist, but was lost or destroyed."

It beggars belief, given that no one has yet been convicted of Mrs Nelson's murder, that files of the state could have been allowed to be destroyed or lost during an ongoing murder investigation. That matters, because it is clear that specific views were formed by police officers that would undoubtedly have added to the risks to Mrs Nelson had they reached wider circulation.

The report needs to be read carefully. The inquiry found—you will be worried by this, Mr Speaker—that special branch in the south region, in the preparation for an application for a warrant to be signed by the Secretary of State, but which was not ultimately authorised, said of Mrs Nelson and the Provisional IRA that

> "she openly supports their cause and intelligence states she has flouted the law",

and that

> "Nelson uses her legal training to assist PIRA in every way she can and it is clear Nelson is a dedicated Republican".

That is why the conclusions of the report are so disturbing.

We may never be sure of the specific consequences of these failings. However, the inquiry states that there was an incident of abuse and assault on Mrs Nelson by members of the RUC, that there was a

> "leakage of intelligence which we believe found its way outside the RUC."

It states that the leakage and threatening remarks

> "would have had the subsequent effect of legitimising her as a target in the eyes of Loyalist terrorists."

Mr Speaker: Order. I am loth on a matter of enormous importance and sensitivity to interrupt the right hon. Gentleman, but he has substantially exceeded his allotted time already. I know that he will bring his remarks to a speedy close.

Mr Woodward: I will, Mr Speaker.

The question that the Secretary of State must address is whether those acts of omission, negligence, failure and prejudice and a mechanistic Northern Ireland Office mean that we are in a very different position from the conclusion of the Wright inquiry, contrary to his statement today. I urge him to examine Justice Cory's original proposals for the inquiries. Collusion is not just a matter of commission; it may also be an issue of omission. This does not prove collusion, but today the Secretary of State has been too hasty in his dismissal.

Mr Paterson: I have to say that I regret the shadow Secretary of State's tone. I made it quite clear in my statement that there were criticisms of state agencies, and on his basic question—if there was a question—of why Mrs Nelson was not protected, I made it quite clear that there were analyses of her security status by the RUC and she was twice deemed not to be at risk. However, the key point is that she did not ask for protection.

It is not for me, who read the report overnight, or the right hon. Gentleman, who has had a shorter time than I had to read it, to second-guess this enormous work. What comes out quite clearly from this very lengthy report is that there were omissions, and that if they had not happened, the risk to Mrs Nelson would have been reduced. However, the report is quite clear that, sadly:

> "There is nothing that any organisation can do that will infallibly prevent a murder. What can be reasonably looked for is a reduction in the risk."

It is the fact that we did not reduce the risk—his Government was in charge at the time—for which I have apologised on behalf of the British state.

Mr Laurence Robertson (Tewkesbury) (Con): May I thank the Secretary of State for advance sight of the report and his statement? Does he agree that anybody who has had the privilege of meeting the excellent police officers who protect people in Northern Ireland against vicious terrorist attacks will know that they are the most professional and dedicated people anybody could ever wish to see?

With regard to the criticisms of the RUC, is the Secretary of State now satisfied as far as he can be that measures are in place for anybody who might be perceived to be in danger in Northern Ireland, given the worrying terrorist threat that still exists?

Mr Paterson: I am very grateful to the Chairman of the Northern Ireland Affairs Committee for the tone of his question. As the report makes quite clear, all the main agencies have now been changed. We are confident that the home protection scheme offers a completely different type of protection from that described in the report.

Paul Murphy (Torfaen) (Lab): I vividly recall the tragic death of Mrs Nelson, and indeed attending her funeral. It fell upon me, some years later, to set up this inquiry. The Secretary of State and my right hon. Friend the Member for St Helens South and Whiston (Mr Woodward) were right to praise the police service in Northern Ireland for all the great work that it does, but the report is a sorry and tragic one. Does the Secretary of State not agree that ultimately, the state simply did not protect Mrs Nelson enough, and that we must learn lessons from that? The acts of omission that occurred were tragic, and they should never, ever occur again.

Mr Paterson: I am grateful to the right hon. Gentleman for his question, and I pay tribute to him for his service as Secretary of State. He is absolutely right that the report makes it quite clear that there were omissions, and that if the Northern Ireland Office or the RUC had done certain things, the risk would have been reduced. However, it was also incumbent on Mrs Nelson to accept security advice at the time and ask for security help. I made it clear in my statement that I regret that those omissions meant that the risk was not reduced, but we have to face the fact that under the circumstances, it was impossible to eliminate the risk.

Patrick Mercer (Newark) (Con): May I associate myself with both the tone and the content of the Secretary of State's comments, and with the congratulations that both he and the shadow Secretary of State have given to the Royal Ulster Constabulary?

To follow on from the last question, can the Secretary of State assure us that the current scheme for protecting those who are vulnerable in a similar way to Rosemary Nelson extends both north and south of the border?

Mr Paterson: I am grateful to my hon. Friend for the question, but we have jurisdiction in Northern Ireland and not in southern Ireland.

Ms Margaret Ritchie (South Down) (SDLP): I thank the Secretary of State for an advance copy of his report. Having known Rosemary Nelson when we were both students at Queen's university, Belfast in the mid-1970s, I find this report very disturbing indeed. In particular, it states that

> "we cannot exclude the possibility of a rogue member or members of the RUC or the Army in some way assisting the murderers to target Rosemary Nelson".

Does the Secretary of State not agree that that is tantamount to collusion between loyalist paramilitaries and members of the then security services? Will he provide an assurance to Members of this House and to Rosemary's family that all efforts will be made to pursue those who were responsible for this terrible murder, and that they will be held accountable in the due process of the law as quickly and expeditiously as possible?

Mr Paterson: I am grateful to the hon. Lady for her question, but I must repeat what the report said. This 500-page report took six years and cost £46.5 million, and was conducted by three eminent panellists. They conclude:

> "There is no evidence of any act by or within any of the state agencies we have examined (the Royal Ulster Constabulary, the Northern Ireland Office, the Army or the Security Service) which directly facilitated Rosemary Nelson's murder".

The report makes no recommendations such as the hon. Lady suggests.

Kris Hopkins (Keighley) (Con): I agree with the content of the Secretary of State's statement, and I support his tone—it was extremely appropriate that he spoke in such a way. I do not excuse in any way anybody who did a wrong thing, but I served with members of the RUC—they were extremely brave individuals in their commitment to the service, both on and off duty. Does he agree that the PSNI is a very different creature to the policing arrangements of 1999, and that we, and people on both sides of the community, should take comfort in that?

Mr Paterson: My hon. Friend is absolutely right. I paid full tribute to the RUC in my statement, but we do the RUC no favours by glossing over any failings. The report makes trenchant criticisms of those failings, but my hon. Friend is right that policing is quite different today. It has a much broader base of support, and is responsible to a locally elected Minister and Policing Board. That is why the report makes no specific recommendations.

David Simpson (Upper Bann) (DUP): This murder took place in my constituency. Today we have the report, which shows no evidence of collusion in relation to that murder. However, in the same area, 18 RUC officers were butchered by the Provisional IRA. We have had Teebane, La Mon and numerous other atrocities in Northern Ireland. We hear on the rumour mill that another inquiry—into Pat Finucane—could be announced. If so, will the Secretary of State also ensure an inquiry into the 18 deaths of RUC officers that occurred at La Mon and into other atrocities, in the interests of equality?

Mr Paterson: I am grateful to the hon. Gentleman for his question. I am fully conscious of the tragedies in his constituency and the area where he lives. In June 1997, very shortly before the events dealt with in the report, Constables Johnston and Graham were murdered in Lurgan. On the Finucane inquiry, I made a written statement to the House in November, and there was an extended period of reflection while we took in representations. I shall make an announcement soon.

Stephen Lloyd (Eastbourne) (LD): I respect the Secretary of State's apology. Clearly the Government, to some degree, failed to protect one of our citizens, so it is only right that they apologise. It was the right decision, and I respect the tenor of his apology. It was a desperate time, and Rosemary Nelson's murder was a desperate act. However, will he give an assurance that the economic cuts faced by Northern Ireland will have no negative impact on the key persons protection scheme? It has been amended and improved since Rosemary Nelson's desperate murder, but it is vital that it is maintained.

Mr Paterson: The KPPS has been replaced by the home protection scheme, which is now administered by my right hon. Friend the Minister of State, Northern Ireland Office, who works diligently on this and assesses each case with great care. I am surprised that my hon. Friend used the word "cuts", because this time last year we negotiated with the Treasury an extra £50 million, and since then we have negotiated a further £200 million. The Government have promised to stand by Northern Ireland and do what is necessary to bear down on the current security threat.

Naomi Long (Belfast East) (Alliance): I thank the Secretary of State for advance sight of the report, and for his measured and balanced statement. Rosemary Nelson's murder was a brutal and callous act, and our thoughts and prayers are with her family, friends and colleagues on the release of this sobering report. My thoughts are also with the many other victims and survivors of the troubles in Northern Ireland who fear they will never have justice or even the truth about the circumstances surrounding their own situations. Does he agree that we need an inclusive and comprehensive mechanism to deal with the past and its legacy so that we can build a more stable future for Northern Ireland?

Mr Paterson: I am grateful for the tone of the hon. Lady's question, which I entirely endorse. One of the other major changes, which is not mentioned in the report, is the establishment of the Historical Enquiries Team, which is looking methodically at the 3,268 cases in which people tragically lost their lives leading up to the agreement. That forms a good basis for working on the terrible losses of the past. She knows that I am considering a range of options and talking to a wide number of people. We will bring forward proposals when we think we can achieve some sort of consensus, but she knows more than anyone how difficult that will be.

Thomas Docherty (Dunfermline and West Fife) (Lab): The Secretary of State's statement identified failures by individuals in the RUC who intimidated and harassed Mrs Nelson or leaked information, and obviously there were failures by some civil servants in not pressing the RUC. Will he ask his permanent secretary to take disciplinary action against any of those civil servants still working in the Northern Ireland Office, and will he confirm whether all the individuals in the RUC whom the panel identified as having committed this harassment or leaked this information have now left the PSNI?

Mr Paterson: I thank the hon. Gentleman for his question and suggest that he read the report, which does not make such recommendations.

Points of Order

4.38 pm

Keith Vaz (Leicester East) (Lab): On a point of order, Mr Speaker. I wrote to you over the weekend about a number of security breaches in the House, particularly the theft of laptops from right hon. and hon. Members. I had my laptop and iPad, which I had only just worked out how to use, stolen last Thursday. Since inquiring in Norman Shaw North and with other of its residents, I have been told that a number of laptops have been taken from there. Indeed, just this moment my hon. Friend the Member for Darlington (Mrs Chapman) told me that her laptop and that of my hon. Friend the Member for Lewisham East (Heidi Alexander) were stolen recently from the courtyard next to your accommodation in Speaker's House. I have discussed the matter with colleagues, and they have suggested a number of measures. Either we should set up our own neighbourhood watch in Norman Shaw North, or perhaps when you meet President Obama on Wednesday you could ask him to leave some of the 200 security officers he is bringing with him. On a serious note, in our view it is bad practice that in a building such as this, which has protection from the outside, these thefts are ongoing and getting worse. I seek your advice on what we can do about this serious matter, Mr Speaker.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order, and for his unsolicited advice, of which, as always, I am appreciative. I commiserate with him on his personal loss, and I extend those commiserations to the hon. Members for Darlington (Mrs Chapman) and for Lewisham East (Heidi Alexander), and other right hon. and hon. Members similarly deprived. It is an extremely serious matter. The right hon. Gentleman will know that we do not discuss security on the Floor of the House. However, it is incumbent on me, which is why I welcome this opportunity, to make it clear that the matter is being investigated—I hope comprehensively—and certainly I can testify to him that it is being investigated as a matter of urgency. When those investigations have been completed, I hope they will prove profitable.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): On a point of order, Mr Speaker. This House makes the law and this House should comply with it. Given some of the remarks that were made during the urgent question—remarks that, on reflection, will probably be seen as incautious—may I have your reassurance that, irrespective of the setting up of the Committee, this House will have sufficient time to discuss the problems associated with injunctions before the summer recess?

Mr Speaker: This is of course a matter for the House itself. I welcome the hon. Lady's point of order. As she will know—because she was present for the statement—the Attorney-General has announced that a Joint Committee of both Houses is to be set up. There will naturally be a chance to debate the terms of reference of that Joint Committee in due course. I think I made it clear that I strongly deprecate the abuse of parliamentary privilege to flout an order or score a particular point.

On the substance of the right and opportunity of Members of Parliament to express their views on this extremely important matter, I am pleased to reassure the hon. Lady and the House that there will be opportunities in the ordinary course of events for Members to express their views on these matters, both in relation to the terms of reference and more widely. There are opportunities to debate matters in Government time, Opposition time and Backbench Business Committee time, and through the mechanism of Adjournment debates. I say to the hon. Lady and the House that there is no injunction, super or otherwise, preventing any right hon. or hon. Member from pursuing those avenues. It is important, however, that we recognise the need to temper our privilege with responsibility.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): On a point of order, Mr Speaker. I am sorry to delay the House with this point of order, but it arises from the answer to Question 1 in Education questions today which was given to me by the Secretary of State for Education. We have been waiting for some time for a response to the inquiry report of the previous Select Committee—the Select Committee on Children, Schools and Families—on the training of teachers. There has never been a response, even though other inquiry reports that took place under the previous Government have been responded to since the general election. We are used to a system in this House whereby the Department concerned responds line by line to the Select Committee's recommendations. The Secretary of State told me that this document—"The Importance of Teaching", the White Paper that came out in November—was an answer, but there is no reference to that fact in this document, and it is not—

Mr Speaker: Order. I am most grateful to the hon. Gentleman for what he has said. I think he has said enough to make it clear to me that this is not a matter on which I can rule; rather, it is—however disagreeable as far as he is concerned—a matter for the Select Committee on Education, should it wish to address the matter further. I think we shall have to leave it there for today.

Helen Jones (Warrington North) (Lab): On a point of order, Mr Speaker. Is there any way in which you can discuss with Ministers the quality of replies being sent to Members? I recently wrote to the Department for Culture, Media and Sport on an important matter affecting my constituency, and received a reply from the public engagement and recognition unit, rather than from the Minister. It was signed "The correspondence team"—

Fiona Mactaggart (Slough) (Lab): Not even Mrs Adams?

Helen Jones: Not even Mrs Adams, no. Another reply, from the Department for Business, Innovation and Skills, began: "Dear Mr Marsden". I am very fond of my hon. Friend the Member for Blackpool South (Mr Marsden), but I do not usually take on his correspondence. Is there anything that you can do to ensure that Members get proper replies from Ministers?

Mr Speaker: I am responsible, at least in part, for the timeliness of replies—I do my best to assist Members in that regard—and also for their courtesy. However, so far as their quality is concerned, I feel that I must tell the hon. Lady that she holds out for me a set of powers that I do not possess and a range of abilities to which someone of my modest capacities cannot reasonably aspire.

Mary Creagh (Wakefield) (Lab): On a point of order, Mr Speaker. Last Thursday, you generously granted an urgent question on the Government's decision not to ban wild animals from circuses. During that discussion, the House was entertained—I think that is the right word—by the Minister of State, Department for Environment, Food and Rural Affairs telling us that such a ban could involve a breach of the Human Rights Act 1998 and of the European Union services directive. At the time, I asked the Minister to place that legal advice in the House of Commons Library, but, sadly, it has not yet received it. I have, however, been to the Library myself and looked at the Department's impact assessment of the regulation of wild animals in travelling circuses. Point No. 81, on page 15, states:

> "There are no human rights issues raised by these proposals."

Following on from that, I found on a comment on a blog entitled "What a circus" which states that

> "there are of course valid reasons for exceptions to the rules and restrictions allowed"

under the EU services directive, and that EU

> "Commission officials are standing ready to discuss the matter".

May we have further clarification from Ministers on this matter?

Mr Speaker: I am grateful to the hon. Lady for her point of order. Some people might think that she is trying to continue the debate that took place on Thursday, although I am not making any such suggestion myself. She did have that urgent question on the subject last week, and, as the House will know, that urgent question was granted by me. I feel sure that there will be other opportunities for her and others to discuss the matter. I would say to her today that this is not a procedural matter on which I can rule, but what she has very explicitly said will have been heard by those on the Treasury Bench and, very likely, in the relevant departmental office as well.

Thomas Docherty (Dunfermline and West Fife) (Lab) *rose—*

Mr Speaker: I imagine that the hon. Member for Dunfermline and West Fife (Thomas Docherty) thinks that our proceedings would be incomplete without a point of order from him.

Thomas Docherty: I am most grateful to you, Mr Speaker. Further to the point of order raised by my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart), will you clarify whether members of the Press Gallery who were following the proceedings this afternoon are covered by the same privilege that we are, when they are reporting the exchanges between hon. Members?

Mr Speaker: The answer to that is yes.

BILL PRESENTED

TERRORISM PREVENTION AND INVESTIGATION MEASURES BILL

Presentation and First Reading (Standing Order No. 57)

Secretary Theresa May, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Kenneth Clarke, Danny Alexander and James Brokenshire, presented a Bill to abolish control orders and make provision for the imposition of terrorism prevention and investigation measures.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 193) with explanatory notes (Bill 193-EN).

Opposition Day

[16th Allotted Day]

Sentencing

Mr Speaker: I inform the House that I have selected the amendment tabled in the name of the Prime Minister. Just before I call the shadow Secretary of State to move the motion, may I gently point out to him and the Secretary of State that there is a premium on time and that Back Benchers will be heavily restricted? There is no time limit on Front-Bench speeches, but I am sure that both right hon. Gentlemen will wish to apply a certain self-denying ordinance.

4.49 pm

Sadiq Khan (Tooting) (Lab): I beg to move,

That this House opposes changing the maximum discount for custodial sentences to up to 50% for those who plead guilty.

Should an offender who commits any offence—grievous bodily harm, assault occasioning actual bodily harm, attempted murder, burglary, mugging, downloading child porn, rape—be given a discount in his or her sentence of up to 50% if they plead guilty at the earliest opportunity? I will deal with the issue in three parts: first, the background to the policy; then I shall move on to its real motivation; thirdly, and finally, I will put my case for why the House should reject that policy.

Sentencing represents the climax of the court process at the point when a defendant is found guilty or pleads guilty. Judges or magistrates decide within set guidelines on the most appropriate sentence to hand down, basing their decision on a range of factors, including the severity of the offence. Punishment is a key purpose of sentencing—punishing offenders for the crime they have committed—but it is also about deterrence both for society as a whole and to the individual in question, aiming to prevent the offender from committing another offence.

A key factor not to be underestimated is the protection of the public and the respite provided to communities, but we must also emphasise the importance of rehabilitating offenders. Sentencing provides the opportunity to work with offenders to reduce the chances of their reoffending in the future. It is about focusing on what works to ensure that there is no drift back into a life of crime, but it also provides the opportunity to work with those who have debilitating mental health issues and dependencies on drugs and alcohol.

Mr Stewart Jackson (Peterborough) (Con): I wonder whether the right hon. Gentleman is suffering from political amnesia, given that his Government presided over the debacle of failing to deport a huge number of foreign prisoners and were also responsible for the deeply unpopular and failed policy of the early release scheme.

Sadiq Khan: I will deal with both those points. Last week, the Justice Front-Bench team were asked how many of these foreign prisoners they had deported during the 12 months that they had been in power, and the answer was—quote of quotes—"about 60". As to the end-of-custody licence, on four occasions between 1979 and 1997, the previous Conservative Government released prisoners early—without the checks and balances that we had, whereby no serious or violent offenders were let out on our watch.

How to balance these different purposes of sentencing is in the judges' discretion, and plea bargaining is also a key part of our sentencing system. Part of plea bargaining is when an offender's sentence is reduced on submission of a guilty plea. This is an aspect of our sentencing system that has evolved over many decades, becoming more formalised in recent years.

Ben Gummer (Ipswich) (Con): The right hon. Gentleman brings up the matter of credits for those who plead guilty and he is right to say that it used to be at the judges' discretion—until it was made mandatory by the previous Government. The discount of a third, which is given now, is one created by his Government, not by judicial discretion.

Sadiq Khan: I will come on to deal with that point in a moment, but the first part of what the hon. Gentleman said is factually wrong.

Successive Governments have sought to codify the amount of discount one gets off a sentence for pleading guilty, and the first real attempt at codification came with section 48 of the Criminal Justice and Public Order Act 1994. This introduced a requirement for the court to take account of a guilty plea. The hon. Member for Ipswich (Ben Gummer) may have been alluding to section 144 of the Criminal Justice Act 2003, which included statutory provision on reductions in sentences for guilty pleas; the Sentencing Council sought to provide structure and judicial direction in this matter.

Mr David Burrowes (Enfield, Southgate) (Con): Is it acceptable for a defendant pleading guilty at a timely opportunity—let us say, for an offence of rape—who should have been liable to a tariff of five years, to get a third off, meaning a sentence of 40 months, which would have led, in turn, to the individual being released after 20 months? That would have happened under legislation passed on the right hon. Gentleman's watch. Indeed, it could have led to an even earlier release if further credit had been given for remorse or co-operation with the police at an interview. Is that acceptable?

Sadiq Khan: I welcome the hon. Gentleman's comments, but he will be aware that the maximum discount that can be given on a guilty plea at the earliest opportunity goes up to one third, but if there is overwhelming evidence against the individual, the maximum discount is only 20%. The hon. Gentleman is well aware of that, because I know he still practises in the criminal courts.

Charlie Elphicke (Dover) (Con): The motion expresses the shadow Minister's disapproval of the 50% discount, but the Green Paper that was published in December 2010 canvassed the possibility in paragraph 216 on page 63. Here we are at the end of May, and only now are the Opposition raising the matter. Is it possible that this is just opportunism?

Sadiq Khan: The consultation ended on 4 March this year, and we made our concerns clear back in December. I shall deal with the timeline in a moment, because it is relevant to the spinning that has taken place over the past seven days.

Under our current system, if a guilty plea is entered at the first reasonable opportunity, there is discretion for a sentence to be reduced by up to one third. The later in the process the guilty plea is entered, the smaller the reduction becomes. There is a discount of a quarter if the plea is entered once the trial date is set, and a discount of a tenth when it is entered at the door of the court at the time of the trial. As I said earlier, there is a discount of 20% if the plea is entered at the first opportunity but there is overwhelming evidence against the defendant.

I accept that a sentence discount represents a tension between the delivery of justice and the improving of efficiency in the legal system, but that tension can potentially bring benefits to victims who are spared the trauma of a long period in court. Up until now, the system has always sought certainty that the right balance is being struck. If the sentence reduction is too great, it threatens to undermine the principles of sentencing and public confidence in the system. Worse still, it may mean that justice is not being served.

The Government's Green Paper "Breaking the Cycle" proposed a maximum discount of 50% for those who plead guilty at the earliest opportunity. No. 10 and the Lord Chancellor would like us to believe that they are in full consultation mode and are simply "flying a kite" about changing the current practice. I accept that there has been consultation on the proposal, but the Lord Chancellor's decision to accept a 23% cut in his budget has led to a fixation with reducing the prison population. That fixation has overridden all other objectives, and shows just how out of touch the Government have become. They want to reduce prison numbers not because crime is being reduced or because fewer people need to be in jail, but quite simply because of money.

Richard Graham (Gloucester) (Con): In the light of his accusation that the only motivation for the Government's offer of consultation with options is reducing the prison population, does the right hon. Gentleman accept that between 2007 and 2010, his party's Government released early the equivalent of the entire current prison population of 80,000?

Sadiq Khan: I know that the hon. Gentleman is not misleading the House intentionally or recklessly, but, as he knows, the maximum time off on end-of-custody licences was 18 days. We are not talking about an additional 17%.

Anna Soubry (Broxtowe) (Con): Is the right hon. Gentleman honestly telling the House that under the tenure of the last Government there was not a serious and profound problem of overcrowding in our prisons?

Sadiq Khan: I remember that the manifesto on which the hon. Lady stood for election and won her seat stated that the Conservatives would provide the same number of prison places we would.

The Department's impact assessment gives the game away. The sentence discount plan provides the Lord Chancellor with the lion's share of his reduction in prison places. The impact assessment shows that £3,400 of the overall savings from the 6,000 fewer prison places that will be needed as a result of the sentencing package will come from the planned increase in the maximum available discount to 50%. I accept that that equates to £130 million a year, but it demonstrates that the Government know the price of everything and the value of nothing.

Mark Lancaster (Milton Keynes North) (Con): If the right hon. Gentleman expects the House to take his arguments seriously, perhaps he will explain why he and his party failed to make any submission to that Green Paper.

Sadiq Khan: Of all the points that have been made, that is the silliest. The hon. Gentleman has been in the House long enough to know that it is silly to expect a Member to respond to every consultation document when he has other opportunities to make his views known, such as asking questions of the Justice Secretary on the Floor of the House, speaking to the Justice Secretary, and speaking to the Opposition.

Richard Graham: On a point of order, Mr Deputy Speaker. May I ask whether I correctly heard what the right hon. Gentleman said? Did he accuse me of misleading the House in the figures I mentioned in my question to him?

Mr Deputy Speaker (Mr Nigel Evans): As I recall, the right hon. Gentleman said quite the reverse: he said you were not misleading the House intentionally.

Richard Graham: Further to that point of order, Mr Deputy Speaker. Did the right hon. Gentleman therefore accept that what I said was factually accurate?

Mr Deputy Speaker: To save a bit of time, let me say that it might be more appropriate for that question to be asked in an intervention on the shadow Secretary of State.

Sadiq Khan: I am afraid I have no idea what that point of order was about, Mr Deputy Speaker.

Richard Graham *rose*—

Sadiq Khan: The hon. Gentleman will have a fourth chance to intervene in a while.

Ben Gummer *rose*—

Sadiq Khan: I shall give way to the hon. Gentleman.

Ben Gummer: May I help the right hon. Gentleman? I do not like to disagree with my colleagues, but he did make a submission on the Government's proposals. At the end of last year he was asked by *The Guardian* whether he agreed with anything the Justice Secretary had said on criminal justice, and his answer was no.

Sadiq Khan: I am happy to set out a timeline of when I have and when I have not agreed with the Lord Chancellor. He and I often comment on the fact that we agree on many issues, but I have said all along that I disagree with this particular proposal. I will discuss the timelines shortly, however.

Margot James (Stourbridge) (Con): Is not another reason for the dramatic overcrowding of our prisons that the current Government inherited the fact that

[Margot James]

more than 50% of the prisoners given indeterminate sentences—6,000 in total—served longer than the sentence they were given? Is this not another example, at the other end of the sentencing spectrum from the early release scheme, of the chaos we inherited with regard to sentencing policy?

Sadiq Khan: On the one hand we are criticised for prisoners who have been properly checked being released on licence 18 days before their sentence is completed, but on the other it is suggested that people who have been proved to be a danger to the public and are serving indeterminate sentences should be released prematurely to save money, rather than there being proper checks and balances. At present, IPPs—imprisonment for public protection sentences—are imposed on all prisoners convicted of rape offences and all sentences of four years and more. Under the new proposals, the Government are considering changing the regime so that only those sentenced to 10 years or more will receive an IPP sentence. That will be a genuine source of concern to the public throughout the country.

Steve McCabe (Birmingham, Selly Oak) (Lab) *rose—*

Sajid Javid (Bromsgrove) (Con) *rose—*

Sadiq Khan: If the hon. Gentleman does not mind, I shall give way to a Member on the Opposition Benches.

Steve McCabe: Why do we not arrange for all the interventions planted by the Government Whips to be read out at once, so that my right hon. Friend can get on with his speech and we can get on with the debate?

Sadiq Khan: When I was a Whip, the quality of interventions was a lot better than it is today.

Mr Burrowes: I want to help the shadow Justice Secretary, so I should not be accused of pure opportunism. Does he think it is acceptable that a convicted rapist with a third off their sentence for plea could be released after 20 months: yes or no?

Sadiq Khan: I take it from the hon. Gentleman's question that he will support our motion when it is put to the vote at 7.15 pm.

Mr Burrowes *rose—*

Sadiq Khan: I have been generous in giving way. The hon. Gentleman can have a third bite at the cherry after I have made some progress.

Charlie Elphicke *rose—*

Sadiq Khan: Let me make some progress.

Richard Graham *rose—*

Sadiq Khan: I promise to give way to the hon. Gentleman after I have made some progress.

The consultation period ended on 4 March, so there is no more time for the public to have their say, and it appears that experts and stakeholders who voiced their opposition have been ignored. Last Tuesday morning, the Cabinet Sub-Committee signed off the policy, and last Tuesday afternoon my right hon. Friend the Member for Blackburn (Mr Straw) asked in Justice questions how giving half off a sentence would help to protect the public. The Under-Secretary of State for Justice, the hon. Member for Reigate (Mr Blunt) replied. He did not say the proposal was still under consultation, or that it was being considered only for non-violent, non-serious or non-sexual offences. He said:

> "I would have thought that a moment's reflection would make that clear. Let us suppose that someone who is accused of rape co-operates with the authorities...That is one example where there is a definitive benefit".—[*Official Report*, 17 May 2011; Vol. 528, c. 140.]

By the bye, when the Lord Chancellor seeks to blame others for trying to introduce "sexual excitement" into the debate, he should look not at journalists or Labour Members, but at his Front-Bench team.

If there was any doubt that this Government had already made up their mind about this policy, the Lord Chancellor's answer to my question in last Tuesday's Justice questions made the position clear. When I pleaded with him to reconsider this proposal, praying in aid not just the Labour party, but judges, victims' groups and the Government's own victims commissioner, he said that it would "survive" the consultation.

Sajid Javid *rose—*

Sadiq Khan: I will give way to the hon. Gentleman, who has not spoken yet.

Sajid Javid: The right hon. Gentleman is sharing with us his concerns for victims of crime, but his party introduced the Human Rights Act 1998. Just last year alone, more than 200 foreign criminals, including many convicted killers, could not be deported as a direct result of that Act, so would he like to take this opportunity to apologise to the House for putting the rights of criminals before those of victims?

Sadiq Khan: I am delivering a speech in two weeks on the human rights law and I will send the hon. Gentleman a copy of it, detailing all the victims who have benefited from the Human Rights Act over the past few years.

Mr Robert Buckland (South Swindon) (Con): The right hon. Gentleman mentioned the answer given to the right hon. Member for Blackburn (Mr Straw) in last week's questions. What would be the Opposition's attitude had the example of fraud been given? Would we have had all this "bandwaggoning" then?

Sadiq Khan: The hon. Gentleman, who knows this area very well, will know that the proposals, which we know have been approved, are for all crimes. If they had been for classes of crime, we could have had a debate about whether or not crime A was in the right category, but this discount of a maximum of 50% is to apply in respect of all crimes. He is right to raise the issue of a broad-brush approach being taken to save money.

Richard Graham: Will the right hon. Gentleman give way?

Sadiq Khan: I will, because the hon. Gentleman has been trying to get in.

Richard Graham: The shadow Justice Secretary said earlier that he had not quite followed my point, so I will give him a second chance to answer it. The proposal I put to him was that between 2007 and 2010 his party released more than 80,000 prisoners early, 16,000 of whom had committed violent crimes—that figure of more than 80,000 is equivalent to the entire current prison population. So before he and his party get too pious about their track record, will he confirm whether these facts are true or not?

Sadiq Khan: It is a fact that the previous Government released prisoners 18 days early once they had been through the hoops. However, violent criminals, people on the sexual offenders list and people accused of terrorist offences were not released early, and these people were released a maximum of 18 days early and on licence. The hon. Gentleman will also know that on four occasions during the previous Conservative Government prisoners were released early without the checks and balances that we conducted.

Richard Graham *rose—*

Sadiq Khan: I think that I have dealt with the hon. Gentleman's point on more than one occasion and I want to make some progress.

We also know that the Government had originally scheduled tomorrow—the last day before recess—to be the day on which they published their response to the Green Paper. So when the Prime Minister says at Prime Minister's questions that this is only a consultation, when No. 10 says that the Ministry of Justice is merely "flying a kite" and when we are told that this is not an across the board reduction in sentence, we know that that is not the case.

I wish to spend some time talking about why Labour Members believe that the whole House should support our motion and reject this policy. The Green Paper, the Under-Secretary of State for Justice, the hon. Member for Reigate, in last week's Justice questions, and the Lord Chancellor, on BBC's "Question Time", have all said that the maximum 50% discount would apply to all crimes. So it will apply to grievous bodily harm, attempted murder, rape, burglary, muggings, death by dangerous driving and all the other crimes that we can all think of that have such a miserable impact on communities up and down the country. Let us consider the impact of the proposals on some sentences. A convicted rape offender could be back on the streets after only 15 months. Someone convicted of causing actual bodily harm where the assault is premeditated and it results in relatively serious injury could end up serving three months in prison. Criminals convicted of burglary when the occupier is at home could serve as little as 10 weeks in prison. In the case of very serious crimes, where sentences are longer, the additional 17% rise in the discount might have the greatest impact. In such circumstances, an additional 17% translates into reductions of years.

Michael Ellis (Northampton North) (Con): The right hon. Gentleman is talking about figures, but does he accept, as regards the figures already mentioned by Government Members—the 80,000 prisoners and the 16,000 prisoners who committed violent crimes who were released early under the Labour Government over 13 years—that 181 of those released early committed violent offences including three murders and six sexual offences? Does he accept those figures?

Sadiq Khan: My hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) commented on the efficiency of the Conservative Whips and I can see that the Lord Chancellor's Parliamentary Private Secretary is also very effective. I have not seen the note that the hon. Member for Northampton North (Michael Ellis) has been passed by the Lord Chancellor's PPS, but if he will discuss it with me afterwards I can check whether it is accurate.

It is not just us who think this policy is wrong. The Sentencing Council, the body charged with offering expert advice on such issues, states that

> "in other common law jurisdictions the largest discount on offer is around a third, with some offering up to 35%. To date no jurisdictions have been identified where the discount is significantly higher than this".

It goes on to point out:

> "The Council has not identified any research to date that indicates that an increase in the level of the discount would be likely to increase the volume of early guilty pleas."

The only evidence we have seen shows how much money will be saved, and cost is once again being put above good justice.

Rehman Chishti (Gillingham and Rainham) (Con): May I ask the shadow Secretary of State to clarify? Does he agree with the leader of his party, who said:

> "Tougher prison sentences aren't always the answer"?

When are they appropriate and when are they not? What does the leader of his party mean?

Sadiq Khan: I can tell the hon. Gentleman exactly what the leader of my party believes. He thinks that it is inappropriate and offensive both to victims and our criminal justice system if all offenders are given a discount of up to 50% for pleading guilty at the earliest opportunity.

Further evidence that the Government are out of touch is provided by their Commissioner for Victims and Witnesses, Louise Casey, who has argued:

> "A discount of 50% offends many victims, underplays the harm that may have been caused…and can seem to be placing administrative efficiency over justice."

Campaign groups such as Justice and the Criminal Justice Alliance also oppose the policy. The judiciary have also been critical. Lord Justice Thomas, vice-president of the Queen's bench division, and Lord Justice Goldring, senior presiding judge for England and Wales, have said that halving sentences because of guilty pleas will fail to reflect the seriousness of offences.

The Government's policy on law and order is a mess. They just do not get it. Before the election, the Prime Minister made promise after promise to get elected. He promised to protect front-line services and he is now cutting 14,000 prison and probation staff. His Government are also cutting front-line police, which we will debate later this evening, and 23 specialist domestic violence courts are being closed. They promised a prison sentence

[Sadiq Khan]

for anyone caught in possession of a knife—that promise was broken. They promised honesty in sentencing and that they would introduce minimum and maximum sentences—those promises were broken.

Sir Alan Beith (Berwick-upon-Tweed) (LD): What did the right hon. Gentleman's party leader mean when he said:

> "When Ken Clarke says we need to look at short sentences because of high re-offending rates, I'm not going to say he's soft on crime"?

Has that gone by the board?

Sadiq Khan: If only the Justice Secretary was investing in alternatives to short sentences and in some of the important, aggressive and intensive work that is required instead of cutting some of those services around the country. I hasten to add that the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) has voted for some of those cuts. When the Justice Secretary talks about rehabilitation and community sentences—real alternatives—he should invest in them, too.

Charlie Elphicke: The shadow Secretary of State is talking tough on sentencing, but

> "playing tough in order not to look soft makes it harder to focus on what is effective."

Surely rehabilitation and education are the things that this House should be debating, not plea bargaining, as they will make the difference.

Sadiq Khan: The hon. Gentleman is right to talk about the importance of dealing with some of the real problems of those who commit offences and are found guilty, and I am all in favour of aggressive intervention within prison—and outside it for non-violent offenders. The problem is that the Justice Secretary, by accepting the 20% cut to his budget, is taking away some of the resources and skills that are required, especially with possibly 14,000 probation and prison staff losing their jobs. That expertise, skill and experience is being lost, arguably, when it is most required.

I have said on many occasions—this has been prayed against me this afternoon—at the Dispatch Box, to the Justice Secretary directly and in the media that I am happy to work with the Government and the Lord Chancellor to make changes in our criminal justice system to help reduce reoffending, cut crime and make our communities safer, based on what works where evidence shows its effectiveness, but nothing in the plans will reduce reoffending or do justice. They are a recipe for disaster and they confirm how out of touch the Government are with the real world.

I do not want this debate to descend into one about whether people are tough on crime or soft on crime. It is about what works and what is the right thing to do. It is about understanding how our criminal justice system has the full confidence of victims, the families of victims, the judiciary and the general public, all of whom are integral to its effectiveness. It is about understanding the value of justice and about willingness to pay the right price for it. I ask colleagues on both sides of the Chamber to think very carefully about this when voting on the motion.

5.16 pm

The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke): I beg to move an amendment, to leave out from "House" to the end of the Question and add:

> "deplores the previous Government's failure to tackle the national scandal of reoffending and its mismanagement of the justice system; notes that discounts for guilty pleas have been an established principle of common law for decades, and that they can speed up justice and spare victims and witnesses the ordeal of waiting and preparing to give evidence at trial; and welcomes the Government's intention to overhaul sentencing to deliver more effective punishment for offenders and increased reparation for victims and to reform offenders to cut crime."

I welcome the shadow Secretary of State's coming to the Dispatch Box and moving the motion, which took me rather by surprise when it was tabled at the last minute last week. At one point, he gave a clear exposition of the opinions of the Leader of the Opposition on the encouragement that is given for an early guilty plea. No doubt we will discover at some stage how many days ago the Leader of the Opposition came to that conclusion, but I think it is rather more the right hon. Gentleman's than his leader's.

The shadow Secretary of State also, quite fairly sometimes when giving way to interventions, said that there were substantial parts of the proposed reforms with which he was in broad agreement with the Government, and he offered to work with my colleagues and me in that regard. However, he tried to get away from that by saying that he would support me if it were not for the reductions in public expenditure in my Department to which I am submitting. I regard it as being in the national interest to make reductions in public expenditure in most Departments. If the right hon. Gentleman believes that my Department should be totally exempt from any reductions in public expenditure at all, perhaps he would indicate in which other part of the public service he would volunteer reductions. With respect—I do not normally tender such advice—the weakness of the Labour party is that it does not have the first idea when it is going to stop denying the need for any reductions in public expenditure. There are some perfectly reasonable reductions to be made in the criminal justice system, but that is not the principle motive for reform. The principle motive is to make the criminal justice system better and to tackle some of the problems we have inherited, as my right hon. and hon. Friends have touched on.

Fiona Mactaggart (Slough) (Lab): Will the Secretary of State give way?

Mr Clarke: The right hon. Member for Tooting (Sadiq Khan) was very generous in giving way and we all appreciated that, but there will be no Back-Bench speeches if I give way too frequently. I will give way in a second.

Let me get one thing out of the way first. I have always believed, along with every sensible person, that Britain needs a criminal justice system that is effective in properly punishing offenders for their wrongdoing and in protecting the public from further crime. When I took office as Justice Secretary it seemed to me perfectly obvious that that had to be the first priority for all my policies. That is self-obvious; it is a platitude. The Government's policy, and my first duty, is to punish crime and have an effective system for protecting the public from further crime. The problem that I face, which causes the reforms, is the fact that I inherited a system that was not effective in protecting against offenders' committing further crime or even in punishing offenders. So that is at the forefront of where we are going.

Without going over all the exchanges that we have just had, let me explain briefly what we have taken over, which causes the need for the proposed reform. Our prisons are pretty nasty, unpleasant places, far from the holiday camps they are sometimes made out to be. The people in most of them pass their days in a state of enforced idleness, quite a few of them making some tougher friends than they have had in the past, and not facing up to what they have done. That is not what I think of as a satisfactory and effective punishment. But a bigger scandal still is our system's failure to protect the public from future crime committed by offenders after completion of their time inside. Reoffending rates in this country, as we have taken over the system now, are straightforwardly dreadful.

Philip Davies (Shipley) (Con): The Secretary of State has made much of the fact that short-term prison sentences lead to higher rates of reoffending than longer-term prison sentences. Given that his proposals now are to give people a 50% discount on their original sentence, plus they will be let out 50% of the way through their time in prison, and given that short sentences do not work, as he says, why is he so determined to make long prison sentences into short prison sentences?

Mr Clarke: The point that I make is not the one that hair-splits the variations between different forms of sentence. All our reoffending rates are very bad. I have no intention of addressing the sentencing tariffs for any offence in this country. I have no proposals for reducing the overall powers of the courts to deal with any crime. What we are talking about is the difference between someone who pleads guilty, particularly at an early stage, and someone who makes the witnesses and the victims go through the crime. That is what I will address.

Ever since I published the proposals five months ago, although we have not faced any clear alternatives or views from the Opposition, I faced a debate about my apparent desire to let prisoners out and reduce the sentences. I have no such desire; nor do I use statistics to illustrate the need for that. What I am talking about—

Dr Julian Lewis (New Forest East) (Con): Will my right hon. and learned Friend give way?

Mr Clarke: Let me continue briefly. I want to get on to the quite small proposal in our overall reforms that this debate and the publicity of the past few days have focused on. Let me explain what the reoffending problem is, because that is at the core of the Government's policy and my proposals.

Within a year of leaving jail, half of Her Majesty's guests will have been reconvicted of further offences. For adults released from short-term sentences the figure is 60%. For young offenders leaving custody it rises to three-quarters. The same people cycle around the system endlessly, costing endless suffering to victims and, for those released from short sentences alone, costing between £7 billion and £10 billion a year to society. That is the key part of the penal system that is not working. I offer this analysis because it throws into sharp relief the record of the Labour politicians who are now criticising bits of our proposed reforms. What I have just described is part of the legacy of the previous Government.

Dr Lewis: Will my right hon. and learned Friend give way?

Mr Clarke: Let me finish describing the legacy of the previous Government, then we will move to the more constructive matter of my reforms and I will give way to my hon. Friend.

I have not forgotten, and I am sure the public have not forgotten either, what 13 years of Labour government was like in this field, despite the attempts of the right hon. Member for Tooting to skate over some of it. We had 13 years of eye-catching initiatives, schemes, meddling and prescription that made a complete Horlicks of the criminal justice system. We had more than 20 Criminal Justice Acts. Thousands of new criminal offences were created. Senior judges complained that

> "Hell is a fair description of the problem of statutory interpretation"

when talking of this stream of legislation. We had a 39% increase in the number of prisoners in our jails—it was not planned and it was not policy—with the cost to taxpayers rising by two thirds in real terms.

And what for? That was meant to be the embodiment of the policy of being tough on crime and tough on the causes of crime—an attempt to give reality to an admittedly rather catchy slogan. What we got was a sentencing policy so chaotic and badly managed that, as my hon. Friends quite rightly keep emphasising, the previous Government had to let out early 80,000 criminals, who promptly went on to commit more than 1,000 crimes, including alleged murders and one rape. We had a system under which more than 1,000 foreign national offenders were released without being considered for deportation—the total number of foreign prisoners in our jails doubled during Labour's period in office. We had a system under which offenders serving community sentences in practice usually completed only one or two days of unpaid work each week. Above all, as I keep emphasising, there was the national scandal throughout Labour's period in office—not a new problem—that the exorbitantly high reoffending rates went completely ignored.

Why was that? A recent quote from the right hon. Member for Tooting is worth repeating, as he gave an extremely good description of what went wrong and what was driving Labour's policy. Speaking to the Fabian Society about New Labour's record on this subject just two months ago, he said that

> "playing tough in order not to look soft made it harder to focus on what is effective".

He gets a murmur of approval from the Conservative Back Benches, and certainly from those of us who had to witness the effect of that policy.

Let me move on to our proposed reforms, including the one to which the Opposition's motion refers. What are the problems that we are now tackling and that our large package of reforms seeks to address? First, criminal trials are needlessly long, drawn out and expensive. The court experience is often deeply unpleasant and almost always uncomfortable for victims, witnesses, jurors and

[Mr Kenneth Clarke]

most people who have anything to do with it. As I have said, at least half of all crimes are committed by people who have already been through the criminal justice system. More than one in 10 adults in prison have never been in paid employment, almost a fifth of prisoners who have used heroin did so for the first time while in prison, and one in five appears to have mental health problems. If we wish to take this subject seriously and really want to protect society and the victims of crime, we must recognise that that is the context of today's debate.

Fiona Mactaggart: I thank the right hon. and learned Gentleman for giving way at last. He is talking about practical studies on how to deal with prisoners with mental health problems, such as the work done by the Bradley review. I will go along with him on those issues, but I do not understand what studies he has done on the precise issue that we are debating today and on the effectiveness of early guilty pleas. It is clear that already two thirds of Crown court cases that result in a conviction involve people who have pleaded guilty. More than 10,000 of those cases in 2008-09 were at the door of the court but could easily have been dealt with in a magistrates court. Why is he not acting to ensure that those guilty pleas happen in a magistrates court, rather than having this widespread policy that will lead to violent criminals being let off?

Mr Clarke: On Lord Bradley's report and the problem of mentally ill people in prison, it seems plain from the hon. Lady's intervention that she agrees with me. My right hon. Friend the Secretary of State for Health and I are working on ways to divert people from prisons, in proper cases and with proper protection of the public, to places where they can be more sensibly and suitably treated. In that respect the hon. Lady and I are in total rapport.

What I am suggesting about the system of guilty pleas, and the reason I have described the unpleasantness of going to court for most people who unwillingly go there as victims and witnesses, is that although most cases wind up with guilty pleas, more should do so and far too many such pleas are made ages after the event and at the last possible moment. I shall explain in a moment how we are addressing that problem, because the long-standing system we have at the moment is not working well enough.

Dr Julian Lewis: Will my right hon. and learned Friend allow me?

Mr Kenneth Clarke: Let me just take our proposal on early guilty pleas. Let me get into that. I am sorry to be unkind to my hon. Friend, but I have to bear in mind the people trying to be called, otherwise there will be no BackBenchers' debate, and as someone who was until recently a Back Bencher for many years, I always used to find it irritating when we had a short Opposition day debate.

Chris Bryant (Rhondda) (Lab): You always got called early.

Mr Clarke: An advantage the hon. Gentleman will have one day.

From the proposals of the right hon. Member for Tooting, I cannot quite see any difference in principle between the two sides of the debate. It is, and always has been, a well recognised and fundamental practice in this country that those who lie their way through a trial and are ultimately found guilty should face a greater punishment than those who own up early, take responsibility for their crime and commit to making amends. That has taken place for at least the past 40 years. I suspect that anybody here who does enough research will find that, for the past century, people who fought it out and braved it out got a longer sentence than those who put their hands up early and pleaded guilty.

What is the purpose of that practice? The public are sometimes startled when they hear that that is the practice, though it always—always—has been in the courts of this country. The purpose is, as we have already stressed, because of the situation of victims and witnesses, above all. No one should underestimate the relief that is felt by anybody who is a victim of crime and has complained to the police about it when they are told that the offender is going to admit to it, and that they, the victim, are not going to be put through an ordeal in court. The witnesses feel equally relieved. It is far, far worse when someone fights on, because often the victim finds that on public evidence and in a court of law they are being accused of lying, of bad behaviour, of promiscuity or of whatever it is that the defendant is trying to run. That is why the justice system of this country has always included the practice. It also saves an awful lot of police time, an awful lot of Crown Prosecution Service costs and everything else.

Dr Lewis: On that point, will my right hon. and learned Friend allow me?

Mr Clarke: I will give way on that point, but I just say finally that it is a pity practising lawyers have always referred to the practice as the guilty plea "discount", because that is not actually the best way of explaining it to a sensible member of the public. I give way to my hon. Friend at last.

Dr Lewis: I am grateful to my right hon. and learned Friend for his generosity in giving way. He talks about what victims feel, and I always thought that victims felt very unhappy with the previous Government's policy of letting many criminals out automatically halfway through their sentences. When in opposition we always used to talk about honesty in sentencing, so are we going to change that policy, or are people going to be let out automatically halfway through a sentence which has already been reduced by half as a result of the new measure under discussion?

Mr Clarke: Halfway through the sentence, people are released on licence, therefore they are liable to recall. If they reoffend, they are brought back; they are not free of their conviction for some time. We are going to address not just release on licence or supervision on licence, but what more can be done once people are out of immediate custody in order to increase the chances of their not reoffending. That is where we get into payment-by-results schemes, and that is why I already have a contract at Peterborough prison, which I inherited, and a new one at Doncaster prison, whereby we will pay more to providers who stop such people coming back when they leave prison. That is not for today, but it is a key part of our reforms, and I do not think that any Member opposes it.

Let me move on to what we are debating. We have the decades-long principle of offering for an early plea a reduction of up to one third on the sentence that a judge hands down. The previous Government made that clearer, because they calmly allowed the Sentencing Guidelines Council to spell out the one third, and it was actually made more binding on the courts in 2009. If anybody in the Opposition is against in principle the idea of what I say is unfortunately called a "discount" for a plea, why have they not mentioned it for the past 13 years? Why was the previous Government's policy based on that principle and on the arguments that I have just raised? Why are we readdressing this?

Emma Reynolds (Wolverhampton North East) (Lab) *rose—*

Mr Clarke: Ah, here we are—somebody who supports the idea. The trouble is that if a discount is not given and the man gets to the court door and finds that there is not much coming off his sentence any more, he might as well instruct his lawyer to have a go and see whether the defence can shake the story. That is why no lawyer has ever objected to the discount for a guilty plea.

Emma Reynolds: The right hon. and learned Gentleman knows full well that there is a big difference between a 30% discount and a 50% discount. Will he turn his mind to the evidence that has been suggested by the Sentencing Council, which says that the 50% plea discount will not bring forward any more criminals to plead guilty? What does he say to that?

Mr Clarke: I do not agree with that. It is not evidence; there are a variety of opinions. However, it is a perfectly good question. We have got down to the fact—I can be precise—that the difference appears to be 17%. That is what we are arguing about. I do not think that anybody in this House has any principled difference whatever on the policy.

The present system is not working effectively, so we have gone out to consultation on proposals that might improve the encouragement offered to people to plead guilty earlier. In over 10,000 cases listed, the trial stops right at the courtroom door; judge, jury, victims, police officers, probation officers are all amassed for a full trial, and then at the last minute the person pleads guilty. Those long delays are wrong, not only because of the cost to the police and the waste of time of everybody attending for any purpose connected with the trial, but because victims and serious witnesses have to endure the uncertainty of it all as they prepare for the ordeal of reliving the trauma of what are sometimes very harrowing experiences.

I hope that the right hon. Member for Tooting will forgive me for saying that saving a bit of cost to the police, the Crown Prosecution Service, Her Majesty's Courts and Tribunals Service and the public purse might be advantageous, although I know that it was not new Labour's approach. If we could get more of those involved in these cases to plead guilty earlier, an awful lot of victims would feel that they have been better treated by the system.

Sadiq Khan: The right hon. and learned Gentleman has enthusiastically set out the case for why he believes an increase in the discount of up to 50% should be carried through. Does the Prime Minister agree with him?

Mr Clarke: This was an entirely collectively agreed policy on which we went out and consulted, so the answer is yes, of course. The Prime Minister runs a scrupulously collective Government, and I am an extremely loyal Minister much used to collective Government. I do not think the right hon. Gentleman has much experience of collective Government, but I commend the system to him—and to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who was of course fiercely embattled on one side in the previous Government.

We agreed that this was a reasonable proposition on which to consult because, as I said, the system that we inherited is not achieving the benefits that the previous Government presumably thought it might achieve when they set it up.

Sadiq Khan: I thank the right hon. and learned Gentleman for generously allowing me a second bite of the cherry. He has correctly said that the Prime Minister signed up to the consultation, which ended on 4 March this year. He talked about collective responsibility. Can he confirm that last Tuesday morning the Cabinet Committee signed off on this proposal?

Mr Clarke: Even in a collective Government, one does not analyse what happens in Cabinet Committees before coming to one's final conclusions. I am not going to disclose the contents of the Cabinet Committee's proceedings for at least 20 years. The right hon. Gentleman will not be surprised to know that we do go to Cabinet Committees, but we have not yet finished our consultation process. *[Interruption.]* He is persisting, so let me repeat what I asked earlier: how many days ago did he and the Leader of the Opposition decide that they were going to run with this? Was it by any chance connected with the slight flurry of excitement in the media at the end of last week? He and his party, and his Front-Bench team, have not had a policy on this or any other subject to do with criminal justice for the past nine months. Let him study the processes that this Government follow, and no doubt they will guide him if ever he is lucky enough to get into great office.

The current system does not get enough early pleas and is a complete waste of resources. The police, the Crown Prosecution Service and others in the legal system use up millions of hours preparing cases that never make it beyond the door of the courtroom. That has to be changed. The Director of Public Prosecutions, Keir Starmer, has called for

> "a reorientation of our approach so that guilty plea cases can be dealt with as swiftly as possible, leaving us to devote our valuable time and resources to cases that really require them. That way we may just begin to tackle the delays that still bedevil criminal justice."

We are still considering the responses to our Green Paper proposals to increase the maximum discount for the very earliest pleas to one half, and to then have a taper, to encourage the earliest plea and disincentivise the late plea. We received many calm and reasoned responses over many months. There was no loud opposition at all to the principle of the proposal until last week. The rush for this debate is slightly pathetic and slightly comic. I do not know where it came from. I have a feeling that the Leader of the Opposition, not yet having decided what he was for, was wandering the streets looking for a passing bandwagon and prodded the right hon. Member for Tooting into putting down a motion.

Some people are claiming that the proposal is simply to reduce the sentences available for criminals, and that is worrying some of my colleagues. As I began by emphasising, it is no part of our reforms to reduce sentences, the protection of the public or the punishment for serious crime. That is not what the Government or I are about. In response, I say very clearly that judges will continue to have discretion in setting the appropriate sentence in individual cases. I will not shorten the length of sentences available to them in any kind of criminal case. I do not think that the Opposition contest the principle, as has been emphasised. I do not understand the argument that they would be in favour of my reforms if they were not combined with saving public expenditure. That is not a compelling point. Reforms to the efficiency and effectiveness of the system are required.

Karl Turner (Kingston upon Hull East) (Lab) *rose*—

Mr Clarke: I apologise to the hon. Gentleman, but I really should sit down soon.

Let me deal with what we are trying to reform and why. The former Home Secretary, the right hon. Member for Sheffield, Brightside and Hillsborough (Mr Blunkett), said in the *Daily Mail* on Friday that I should

> "order a wholesale review of how the court system works".

He went on:

> "my own jury experience left me staggered by the sheer waste of time and public money resulting from the chaos in our courts."

Chris Bryant: It is the judges.

Mr Clarke: After 13 years, they say it is the judges. It is actually that the system does not facilitate the disposal of cases in the best possible way in the interests of victims, the police, the taxpayer and, above all, justice itself.

I have found quotations from the former Lord Chancellor, the right hon. Member for Blackburn (Mr Straw), who unfortunately is not in his place. He is the one who placed a more onerous obligation on judges to follow the early guilty plea guideline. Perhaps he is not here because, like me, he cannot understand what on earth got into the head of the right hon. Member for Doncaster North (Edward Miliband) in thinking that this was a suitable subject for debate.

I remember the right hon. Member for Tooting declaring in this House that he welcomed plans for a clear sentencing framework. In December he thought that they were

> "a perfectly sensible vision for a sentencing policy, entirely in keeping with the emphasis on punishment and reform that Labour followed in government".—[*Official Report*, 7 December 2010; Vol. 520, c. 171.]

I pay tribute to him for being so helpful and constructive in response to our proposals. It is a pity that he has been bullied into picking out bits and distorting them in this debate. The principle of a more efficient system of justice is not wrong, and the principle of the early guilty plea is not wrong—I am afraid that it is the state of the Opposition that is really wrong. That is what has brought the debate to the House.

The former Prime Minister's old speechwriter, Phil Collins, apparently said last Friday:

> "Labour don't have a particularly strong position on crime of any kind".

Well, we will help them. We have a policy, and it is very clear. We will reform the criminal justice system to focus it on punishing offenders, protecting the public and tackling the scourge of reoffending. We intend to make prisons places of hard work, not enforced idleness. We will get prisoners off drugs, and drugs out of prisons. We will toughen up the current weak and failed system of community sentences, and we will introduce a radical payment-by-results approach that will introduce innovative public and private sector solutions focused on what really matters, which is breaking the devastating cycle of crime.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. There is a six-minute limit on Back-Bench contributions, but if Members can get their points across in less than six minutes, they will be helping their colleagues.

5.45 pm

Mr George Howarth (Knowsley) (Lab): It is a pleasure to follow the Secretary of State, who presented a familiar face. There was a mixture of pragmatism, an element of bluster and just the occasional shaft of precision in his argument.

I begin by making an obvious point, and I do so at the risk of sounding like Michael Howard, now Lord Howard. We often lose sight of part of the meaning of what he said on the subject. Prison does work, at least to a limited extent. It seems to me an incontestable fact that while somebody is locked up in prison, they cannot commit offences out in the community. There have been many cases in my constituency over the years in which people have been given a custodial sentence and been taken out of the community, even if only for three or six months, and there has been an appreciable difference in the crime rate. Local police inspectors and senior officers in my area, and I am sure in other areas, will attest to the fact that prison works in those circumstances.

In my remaining time, I wish to cover two issues, the first of which is sentencing in general, which is the main subject of the debate. I approach it from the vantage point—or it might be a disadvantage point—of having sat on the Gage working group, which reported in July 2008. I will refer briefly to that report, then I want to say a word about community sentences.

The Gage working group examined, among many other things, the causes of the increased prison population to which the Secretary of State referred. We highlighted nine points. I will not go through all of them—time forbids, and in any event the Secretary of State has already referred to them, and my right hon. Friend the

Member for Tooting (Sadiq Khan) has covered the same points. However, I wish to pick out one of the nine, because the Secretary of State made a great point of talking about reoffending. Point (5) in paragraph 2.2, on page 5 of the report, states that

> "re-offending including breaches of supervision, licence recall, suspended sentences and community orders"

is one of the drivers that increase the prison population. I shall come back to that point later, but it is important to recognise that the prison population increased for reasons relating to the alternatives to prison sentences.

This month, the new Sentencing Council, which was established from the Gage commission and subsequent legislation, produced a survey, "Attitudes to guilty plea sentence reductions", which is germane to this point—it is included in the note produced by the House of Commons Library. I shall focus on three of the survey's findings that have some force, the first of which is a point that the Secretary of State used to criticised my right hon. Friend the Member for Tooting. First, the survey states:

> "The public assume that the key motivation for the guilty plea sentence reduction is to reduce resources (time and money)…There is a strong sense that the drive for cost savings should not impact on a system effectively delivering justice."

Secondly, it states:

> "For the general public, there was weak support for higher levels of reductions beyond the current guideline range of up to 33%".

Thirdly, it states:

> "The public (and some victims and witnesses) do not like the idea of a universal approach to reductions".

There is therefore a strong disconnect between the Secretary of State's proposals and how the public feel things need to be handled, which is a real problem. I accept that he is making a genuine attempt to address the issue—he is not one for eye-catching initiatives. However, he has not won over the public, and he certainly has not won over large numbers of his own Back Benchers, and for that—

Mr Deputy Speaker (Mr Nigel Evans): Order.

5.52 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): I begin by saying that the Lord Chancellor should not have used words that led people to believe that he did not treat all rapes as serious crimes. However, when I set that against his attempt to create a rational debate on criminal justice policy, I know on whose side my sympathies, in general, lie. In addition, it was a tactical mistake of the Opposition to turn that into a resignation issue, and a further demonstration that we need such a rational debate.

Furthermore, the debate on extending the discount for early guilty pleas should not have become focused on rape, because it might be more appropriate for other crimes. I remain to be convinced that the enhanced discount will produce the full intended savings in the prison population. It is worth pursuing for some crimes and would be inappropriate for others. The current one third discount needs the careful exercise of the judge's discretion, which is in some ways circumscribed too much, because distinctions must be drawn between cases in which a guilty verdict is almost inevitable, and those in which a guilty plea avoids lengthy proceedings with an uncertain outcome.

The aim of getting guilty pleas earlier is sensible, but many court-door pleas are based on the lack of early knowledge of the prosecution case, or a belief that witnesses will be intimidated into not turning up. Greater discounts will not of themselves change that. If the policy succeeds, it will enable other cases to be brought to trial more quickly, which would be a very welcome development, even if it might not assist in making financial savings because it could lead to more custodial sentences.

The public continue to see length of sentence as the only way of asserting society's abhorrence of serious crimes, regardless of whether the long sentence has any deterrent effect, which it clearly does not in some cases, and regardless of whether the offender considers the sentence to be particularly punitive. Some offenders regard community punishments as more exacting than prison, which means bed and breakfast, and three meals a day. For many offenders, life outside is disorganised, dysfunctional and not particularly comfortable.

We must ask, as my right hon. and learned Friend the Justice Secretary is asking, whether we are spending the vast resources that we commit to the criminal justice system in a way that is effective in reducing the crime and victimisation that result from reoffending. Resources are not unlimited, and it is our responsibility to use them to protect our constituents from becoming victims of crime. That requires a transfer of some resources from custody to community punishment, and from custody to preventing people, particularly young people, from getting involved in crime in the first place.

If we had only ever treated the symptoms of illness and devoted minimal effort to prevention and public health, we would have made very little progress in eradicating diseases and increasing life expectancy. We must apply some of that philosophy to preventing crime and reoffending. Every crime and instance of reoffending that is not prevented makes victims of our constituents. We need a rational debate on how we organise policy so that we prevent people from becoming involved in crime and from returning to it.

Michael Ellis: Further to the right hon. Gentleman's medical analogy, does he agree that it is highly likely that people would stop prescribing a medicine if it did not work 70% or 80% of the time?

Sir Alan Beith: The hon. Gentleman is absolutely right. What is more, we would be better to prevent people from getting the condition in the first place than to give them medicine late in the day.

Successive reports of the Select Committee on Justice have tried to launch, support and encourage a rational debate on our criminal justice policy. That, I believe, is what the Lord Chancellor has been trying to do, and I encourage him to continue in that endeavour.

5.56 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): Although I do not agree with a blanket 50% discount, I accept the sincerity of Government Ministers in trying to reform sentencing. Despite the Lord Chancellor's denials, the

[Steve McCabe]

problem is that the Treasury has set those Ministers a slightly unreasonable cost-cutting agenda, which will inevitably undermine some of their ambitions. Cost cutting simply will not give us better sentencing outcomes, and as I am sure the Lord Chancellor knows, effective community alternatives to custody are not a cheap option.

Any review of sentencing needs to take account of the public and demonstrate that both the politicians and the experts charged with the reforms genuinely listen to and take on board the public's concerns. In that respect, we need to start with victims and ensure that their needs are at the centre. We need to ensure that they are not forgotten or tacked on as an afterthought as courts focus too much attention on the offence and the offence tariff rather than on the impact of the crime.

The public need to know that the money being spent makes a difference and that the justice system belongs to them and not to the professionals or the experts, or even worse, to the offenders, as it sometimes seems. If the Lord Chancellor really wants to protect victims and witnesses in the judicial process, we perhaps need to prise some elements of the justice system from those that currently hog the scene. This is not about blaming judges, but I am not convinced that the current structure of our courts and the selection of judges and—in some cases—magistrates, are the best that they could be. Their sentences frequently do not make sense to most normal people, and at times, they seem to be totally out of touch with the communities that experience most of the crime.

Karl Turner: My hon. Friend mentions victims. I have just been doing the maths on this. Someone who is convicted of the offence of causing death by careless driving while over the proscribed limit will end up with something like nine months. How is that fair to the victim?

Steve McCabe: That is my point about focusing more on the impact of the crime.

We need to return to the experiment with community courts for lower-level crimes. That kind of approach has public support, even if the legal establishment, which is well represented in the House, is sceptical, and many of my constituents would welcome attention being paid to these matters. Thinking about what the Lord Chancellor said, it seems to me that we need a rethink. This is not about who runs the prisons, but about how they are run. We need to establish the value of short custodial sentences. What does a 10-week sentence set out to achieve? More importantly, we need to know, as he acknowledged, why it is easier to get drugs and other contraband in prison than outside. *[Interruption.]* Members can say, "It's your legacy", but it is a legacy that has been developing for years, and if we reduce the debate to that sort of silly, cheap remark, any benefits we might derive from the time available for debate will be lost. That is why they are wasting their time with that kind of muttering.

I want to know why this continues to happen. Why do we keep reading about prisoners taking us to court? Why can anyone in prison for more than a few months leave still unable to read and write? If the Lord Chancellor really wants to help and to demonstrate that the things he has spoken about today will be activated, he needs to tell us what he is going to do, and to do more than simply repeat the concerns in the Chamber.

We need to clarify the purpose of custody. The priorities for long-term prisoners are straightforward. They should be about security and then a long path to rehabilitation. However, for the short term and the frequent offenders that he mentioned, surely we need to have more credible forms of punishment and restitution, and more imaginative sentencing. That might mean ending the divide between prison and the community. Why not have prison sentences for evenings or weekends? Why not curb leisure time? Surely what matters is that the time is used constructively, and that any activity is not confused with leisure time or voluntary activity; it has to be about punishment, control and making amends.

The public want to see and hear punishment as well as rehabilitation. There have to be fewer opportunities for people to avoid responsibility for their actions, and courts need to entertain fewer excuses. I agree with the Lord Chancellor, but where in his policy are there clear directions and obligations in sentencing? I want to know that there will be rigorous testing, directive counselling and control for offences relating to substance abuse. If the Government were to take us along that path, rather than spending so much time repeating an analysis we all broadly share, and if they were to make clear their intentions, we might be able to have a much more constructive debate, instead of one in the terms being debated today.

Nevertheless, we are having this debate because the Government have set out to cut prison numbers, largely on a cost-cutting basis. The Lord Chancellor has refused to give details of exactly how he is going to provide credible—

Madam Deputy Speaker (Dawn Primarolo): Order. I call Philip Davies.

6.4 pm

Philip Davies (Shipley) (Con): Although I am speaking in favour of this Opposition day motion, I think it is the height of hypocrisy for the Labour party to lead the charge on crime, given that it presided over the automatic release of people halfway through their sentences, which created many unnecessary victims of crime. As we have heard from my hon. Friends today, the Labour party released 18 days early almost 80,000 prisoners who between them went on to carry out an additional 1,512 offences, including three murders, rapes and assaults, while they should have still been in prison. One convict, originally jailed for battering a woman to death, was released, only to lure a 10-year-old boy back to a flat, where he threatened to slash his throat with a craft knife before raping him. That is not what I call being tough on crime, despite what the right hon. Member for Tooting (Sadiq Khan) would like us to believe.

I would like to clarify that, no doubt contrary to popular opinion, as a Government Member I do not particularly enjoy voting in favour of Opposition day motions. However, the Justice Secretary's recent proposals are simply unacceptable to the majority of my constituents and the British public as a whole.

Andrew Percy (Brigg and Goole) (Con): I can assure my hon. Friend that they are also unacceptable to the people of Brigg and Goole. Is not the record of the previous Government which he described exactly why we entered the election promising tougher sentences, to end the early release scheme and to be more honest with the public about our plans?

Philip Davies: My hon. Friend is right. It is astonishing that some of our hon. Friends, who were happy to enter the election promising to send more criminals to prison, and to put in place longer sentences and honesty in sentences, are now advocating sending fewer people to prison for a shorter time. I did not tell that to my constituents when I stood in the election.

Bob Stewart (Beckenham) (Con): Forgive me, I am not learned or a lawyer, but we have not suggested that fewer people would go to prison, have we? We have suggested that prison sentences could be cut by up to 50%, but that it would be for the judges to decide. It would not necessarily be 50%.

Philip Davies: My hon. Friend is clutching at straws. The Secretary of State made it clear that as a result of the proposal fewer people would be in prison. That is the whole purpose of the measure. My hon. Friend ought to reflect on the fact that this is an arbitrary proposal, because there is absolutely no evidence suggesting that more people will plead guilty as a result. If that does not happen, will the Secretary of State return to the House in a few months suggesting a three-quarters discount for pleading guilty in order to get a few more convictions? Where will it end? Why not scrap prison sentences altogether? This is a slippery slope. It is ludicrous and not based in evidence.

Most people think that punishment is not heavy enough. It has been estimated that between 2007 and 2009, criminals on probation have been responsible for 121 murders and 44 cases of manslaughter, along with 103 rapes and 80 kidnappings. In total, they were responsible for more than 1,000 serious violent or sexual offences in the two years from April 2006, while almost 400 more suspects are awaiting trial. Most people looking at these figures would conclude that too few, not too many, people were being sent to prison, and most would conclude that people are not being sent to prison for long enough, not that they should be let out even earlier.

As we have heard, a senior judge, Lord Justice Thomas, warned that as a result of these proposals, a rapist facing five years in prison could get off with a sentence halved to just 30 months by pleading guilty earlier. However, because of what the previous Government did, which the Secretary of State appears to support, that offender would then be released after only 15 months behind bars. Fifteen months for a five-year sentence! That is what is happening under a Conservative-led Government.

Mr Kenneth Clarke: The example given by my hon. Friend is fanciful, because the average sentence for rape is eight years. Sentences will vary but in the end the judge will decide what justice and the seriousness of the offence justify. Needless public alarm is caused because the public find it difficult to know what the sentences are. If it reassures my hon. Friend, however, I can say that I would regard someone being released from the prison part of their sentence after 15 months as quite inadequate in a case of rape.

Philip Davies: The Secretary of State and I differ. He seems to think it perfectly reasonable for somebody to get eight years in prison and serve only two, but I think that it is unacceptable. [HON. MEMBERS: "He didn't say that."] I am disappointed he thinks that somebody who is given an eight-year sentence should be given a 50% discount for an early plea, reducing the sentence to four years, and so be released after two. [HON. MEMBERS: "No, he didn't say that."] That means two years for an eight-year sentence, which to me and most people is totally unacceptable.

Anna Soubry: Will my hon. Friend give way?

Philip Davies: No, there is not time.

That is what the Secretary of State is proposing. That is what happened to Gabrielle Browne, who sparked the debate when she questioned the Secretary of State—*[Interruption.]*

Madam Deputy Speaker (Dawn Primarolo): Order. The hon. Gentleman will be heard. Members will have an opportunity to contribute to the debate in due course. This is quite unacceptable when he is speaking.

Philip Davies: Thank you, Madam Deputy Speaker.

Gabrielle Browne was attacked by an African immigrant, Mohammed Kendeh, who had just been let out of prison four months into a one-year sentence. He had sexually assaulted five other women in the same park a year before, but was spared jail for those offences. Non-custodial sentences do not appear to work in such cases. Similarly, in a recent case in west Yorkshire a serial rapist was freed from jail early only to commit another sickening attack. He had subjected a string of women to terrifying rapes and sexual assaults as far back as 1984, but served only eight years of a 14-year sentence for raping an 18-year-old woman. Upon his release, he carried out a further rape on a 24-year-old as she left a nightclub.

We will get more and more such cases, with people serving more and more derisory prison sentences, then let out to create more and more unnecessary victims of crime. When people with no offending history are caught for crimes and have to wait to be convicted, it is understandable that it should take time to bring them to justice. However, it is unforgivable for people in government to preside over a system that lets people out of prison earlier than necessary, in order for them to go on and commit more crimes and create more victims of crime. We need to review the current situation, in which people are released from prison early.

People keep telling me that Scandinavian countries are marvellous when it comes to these things, so I went to Denmark to see at first hand what they did. One thing that never seems to come out is that in Denmark, people are not automatically released halfway through their sentences. They are released only if they behave well; and in fact, 30% of prisoners in Danish prisons serve their full sentences because they are not deemed safe to release from prison early. Those are the things that the Secretary of State should be looking at, not trying to have people serve lower sentences in the first place. Indeed, it is his proposals that are causing the British public to lose confidence in the British criminal justice system and in this place.

[Philip Davies]

Last week I asked the Secretary of State to read some research commissioned by Lord Ashcroft into the opinion of the public, victims of crime and police officers. Some 80% of those polled thought that sentences were too lenient. Similarly, when asked whether they expected the new coalition Government to be tougher on crime than the last Labour Government, 50% of those polled said that they expected them to be tougher, while 9% said less tough. When asked their views now that they had seen the Secretary of State in action for a year, only 13% thought that the Government were tougher, while 23% thought that they were less tough.

These proposals have to go. I very much fear that if the Secretary of State does not listen to the widespread opposition to these plans, then for us to restore our reputation as a party of law and order, he will have to go as well.

6.12 pm

Fiona Mactaggart (Slough) (Lab): I want to talk about this Government's record on crime where women are victims or offenders, and to show that the latest attempt to propose a 50% discount for early guilty pleas—which was offered up by the Under-Secretary of State, the hon. Member for Reigate (Mr Blunt), as doing women rape victims a favour—is a desperate ploy that could only be the product of a men-only Department which, to be frank, just does not get it when it comes to women and crime.

It is not just Ministers' fault, however: when I was a Home Office Minister working with the National Offender Management Service, I discovered that officials believed that women offenders in prisons were basically exactly the same as men and were to be treated the same. The consequence was an appalling deluge of women self-harming and killing themselves in jail. I realised that we needed a comprehensive rethink of the issue, and helped to commission Baroness Corston to look at it. She came up with an excellent report that showed many of the ways that prisons dealt ineffectually and unfairly with women, who are more likely to be jailed for non-violent offences than men, more likely to be remanded when they are later found innocent, and very likely to have been victims of violence themselves before committing any offence.

It seems that we are getting the same kind of cloth-eared view on how women as victims are treated. We need to approach them in the same way that Baroness Corston approached women offenders: by really looking at how to reduce future crime, by ensuring that the children of offending women are less likely to become offenders themselves, by listening to victims and those in the system, and by doing a careful study rather than what I believe we are facing, which is a back-of-the-envelope calculation—"This'll get me off the hook with the Treasury."

Let us look briefly at Labour's record, which Government Members have mentioned extensively. The most striking thing in relation to rape is the increase of sentences served between 2005 and 2009, the period for which we have the most recent figures. Sentences served increased by 14 months over that period because of determined work by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) and Baroness Scotland, who worked together to start taking unduly lenient sentences back to court and ensure that dangerous rapists were not released early. We then realised that we were not doing enough, so we commissioned Baroness Stern to look at how rape was treated in the criminal justice system. She was impressed by a number of the changes that we had made, including introducing specialist police units—which are now due to be cut by the Home Office—increasing by 15% the number of rapists convicted, improving the way cases were dealt with in court, and introducing specialist prosecutors in all 42 Crown Prosecution Service areas. Of course, the number of CPS areas has now been cut, so although every area might claim to have specialist prosecutors, I doubt whether there will be as many as there were.

The difference between that and what we see now is carefully thinking through what will make a difference. I am genuinely shocked by the Minister, who I do not think is a bad man. I share his desire to reduce reoffending, and I recognise his point that short sentences—those under four years—are ineffectual. That is one of the reasons why I want to ensure that no rapist is in jail for less than four years. He said that there was no loud opposition to the proposal. What that means is that he has not bothered to read the representations that women's organisations made in response to his Green Paper. I am afraid that we are seeing a cloth-eared, don't-get-the-women approach from this Department. I want Ministers to think again. We were told that victims' organisations would really welcome the proposal because victims would not have to go through the horror of a trial. Yes, rape trials are horrible—they are very degrading for the victim—but if the trial does not go ahead, then although the judge hears the plea in mitigation, he never hears how the victim's life has been destroyed.

Stephen Phillips (Sleaford and North Hykeham) (Con): I wonder whether the hon. Lady has actually read the Green Paper. One of the things that it addresses is the right of victims—a right that they never really had under the Government whom she supported—to give a proper impact statement on how the crime has affected them. If she cares to read the Green Paper, we will not have these silly points made.

Fiona Mactaggart: I was one of those Home Office Ministers who introduced the concept of victim impact statements, so I am well aware of that, but the problem is that with early guilty pleas, that has not usually been the case in practice. From my reading of the Green Paper it is not clear to me what will happen: will Ministers automatically ensure that the victim impact statement can fully outline what has happened to the victim?

I do not believe therefore that what is proposed is being done to make the victim's experience better. There is no evidence of that, because there is no evidence of careful listening to victims' organisations, which is what I would have expected had that been the case. I would have expected real engagement with women's organisations that deal regularly with the victims of rape and other sexual violence. According to the British crime survey, one in 250 women were victims of sexual assault in the last year. This is a widespread offence, and we are not taking it sufficiently seriously when the Secretary of

State for Justice can say, "Well, there's rape and then there's rape." We need to change the way we deal with this issue. We need to be really serious about these issues. Although there is a case for discounts for early guilty pleas, they should not be universally applied to people who have been responsible for some of the most violent and degrading crimes, and his Green Paper does not stop that—

Madam Deputy Speaker: Order.

6.20 pm

Mrs Helen Grant (Maidstone and The Weald) (Con): We have about 4,000 women in British prisons. A small fraction of them need to be locked up; the vast majority do not. Most of these women are serving very short-term sentences, with 64% serving less than six months. Those serving short sentences are not subject to any supervision on release, and their prison sentences are too short to provide proper rehabilitation. The result is a vicious circle of family breakdown, chaos, reoffending and huge cost to the taxpayer.

Women in prison are a highly vulnerable group, and they commit crime because of this vulnerability and because of earlier failures to protect and support. More than half have suffered domestic violence, and a third have suffered sexual assault. Up to 80% have mental health problems. Many of them self-harm, and many have attempted suicide. More than half have alcohol problems, and 27% have drug problems. When a woman goes to prison, her children suffer too, with homes being repossessed and children ending up in care. Some women are pregnant when they go to prison, and the sight of babies and toddlers spending their earliest moments in a situation that is the complete opposite of a family home is an affront to my senses as a mother, a family lawyer and a politician. When a man goes to prison, a woman is usually there for him when he gets out. When a woman goes to prison, the man is often nowhere to be seen.

The Government's plans to reform the criminal justice system set out in the Green Paper helpfully recognise that women offenders have a different profile of risk and need. I was encouraged recently by the response of the Under-Secretary of State for Justice, my hon. Friend the Member for Reigate (Mr Blunt), to my parliamentary question on the effectiveness of short-term prison sentences for women. He said:

> "Short-term sentences for men have proven pretty ineffective, and I think that short-term sentences for women are even more ineffective…We support the conclusions of the Corston report…we are committed to reducing the number of women in prison, and a network of women-only community provision is being developed to support robust community sentences."—[*Official Report*, 20 July 2010; Vol. 514, c. 163.]

Those community offender projects for women, to which the Minister referred, provide a genuine alternative to custody. They are run by charities that work in partnership with the police, the prisons, the probation service and health and social services, and they provide wrap-around support for the woman. They help her to stabilise her life. They find her somewhere to live and ensure that she is safe. They start to deal with mental health and addiction problems, and they allow magistrates to sentence a woman to community penalties with confidence. Early evaluations of the projects look very good, in terms of reducing costs and the rate of reoffending. Those projects have been funded by the Ministry of Justice, and I hope that such funding will be continued, notwithstanding the difficult financial climate.

Philip Davies: The answer to a parliamentary question that I asked revealed that, for every age group and for every offence, women are already far less likely than men to be given to a custodial sentence. Does my hon. Friend agree that the best way to stop women going to prison is for them not to commit those crimes in the first place?

Mrs Grant: My hon. Friend makes an interesting point, but this is why we are looking at robust community alternatives to prison.

It would be a missed opportunity if these projects were not expanded, and an absolutely travesty if they were cut. We need a strong message from the Government that prison is not the right place for women who pose no threat to the public. I accept that the public and the judges need to feel more confident about community sentences, and their scepticism must certainly be dealt with. Community sentences are not fluffy options. They are intensive interventions that absolutely challenge a woman to change her life. They will also enable her to see that her future could look very different from her past.

6.24 pm

Mrs Jenny Chapman (Darlington) (Lab): I congratulate the hon. Member for Maidstone and The Weald (Mrs Grant) on her wonderful, thought-provoking speech. I have not heard the case for women prisoners articulated so well since I came to the House.

There is a gaping hole at the heart of the Government's Green Paper on sentencing: it is the voice of the victim. Rehabilitation is important to victims. They want to know that their experience has not been in vain. They are anxious to prevent other people from becoming victims, and they want to know that their ordeal—traumatic, distressing and damaging though it was—can produce a change that will help others. For that reason, victims want certainty in sentencing. Rehabilitation is often valued by victims, but punishment and reparation must come first.

Why should victims believe that rehabilitation will work when their own experience of the criminal justice system is so lacking? The Government assure us, sometimes with the best of intentions, that rehabilitation will succeed, at the same time as proposing that sentences should be cut and fewer people should be incarcerated. Our criminal justice system involves a deal between the citizen and the state. We do not personally catch and punish others who have wronged us; we stand back and trust professionals to take care of justice on our behalf. We are entitled, however, to expect transparency in return. That is the deal.

Rehabilitation acts both ways. We can all understand why the rehabilitation of offenders is important, but what about the rehabilitation of victims? Victims often feel that they serve a longer sentence than the perpetrator, yet they are entitled to less. There is not enough trauma care for those who are suddenly bereaved. There is inadequate counselling on offer for children, and counselling is sometimes delayed until after a trial, for fear that it might contaminate the evidence. That irresponsible and unnecessary practice must stop.

Bob Stewart: I gave evidence for the prosecution in a murder trial in 1986. In the middle of my evidence, the plea was changed. The people sitting behind me were seriously grateful that they no longer had to go into the witness box. Sometimes, victims such as those are grateful for any method that allows them to avoid having to go through their experience again in court. I make that point only because I think that it is valid.

Mrs Chapman: I am grateful to the hon. Gentleman; I accept that what he says is true. My point is that increasing the discount to 50% will not in any way improve the experience of victims.

It is true that victims benefit from efficiency in the criminal justice system. Unnecessary and costly administration helps no one, but the attempt to make savings by cutting sentences by up to 50% in return for a guilty plea is not a fair way of going about this. Justice is at the heart of the system, and it must not become its casualty.

I welcome the Secretary of State's ideas in the Green Paper on work in prisons. It is important and beneficial to victims that the system should turn out people who are able to lead law-abiding lives, and I am pleased that he has suggested that wages earned by prisoners should be used to compensate victims. He needs to ensure that that happens. A fund needs to be established in which the money can be collected centrally for redistribution to victims, because they generally do not want the ongoing regular direct relationship with an offender that a monthly direct debit can entail. A centrally co-ordinated victims fund to assist with reparation would help in that regard.

No one seems to believe that community sentences are real punishment. They are seen as second best, the soft option or the cheapest option. Sadly, that is all too often true. Community sentences should be highly visible, and that includes making the offenders themselves highly visible. The public must be responsible for nominating work schemes, and the probation service needs to see tough punishment as part of its brief. Community sentences should be tough, physical, intensive and of direct benefit to the community that has suffered. Breaches should be rigorously enforced.

Of greatest concern, however, are the Government's proposals to alter indeterminate sentences for public protection. No offender convicted of rape, sexual assault or child abuse should be released without an assessment of their risk to the public. The Green Paper assumes that non-dangerous IPP inmates are serving longer than they need to. I know that inmates and their families are arguing for this. Where, however, is the voice of the victim? Could it be that parole boards are making the right call in keeping us safe from some of the most predatory offenders in the system? We should let them continue to do so.

Reduced sentences for guilty pleas have been thoroughly debated in recent days, but the Government need to find other ways to ease the experience of the criminal justice system for victims. An offender who pleads guilty late in the process should be penalised, not rewarded, for an early plea. How an offender pleads has nothing to do with the seriousness of the crime—crime should be punished, rather than the ability to play the system be rewarded. The Government's proposals will not encourage more people to plead guilty early. Such decisions are based on the likely outcome and the strength of evidence, not on the discount offered. All the current proposal does is alienate victims; it is wrong.

The Government need to make the light by which the needs of victims can be seen. So far, this is missing from their proposal. Reoffending rates improved in the last decade, but it will be a long time before rehabilitation will be good enough for it to be seen as more important in sentencing than reparation or punishment. The Government will be judged on who they prioritise in criminal justice—and this must be the victim.

6.31 pm

Ben Gummer (Ipswich) (Con): I think that the Opposition Front-Bench team do their Back Benchers a great disservice; we have heard some interesting and thoughtful contributions, especially from the right hon. Member for Knowsley (Mr Howarth). Once again, however, we have seen the Opposition Front-Bench team jumping on the bandwagon of the week. Three weeks ago it was Sure Start and the Opposition showed their commitment to that in the Opposition day debate with only four or five Members present, yet there were dozens on the Government Benches. Last week, we had the Opposition day debate on the health service, at which the car crash unfolded because Labour Members were unable to attack the proposals effectively. Now, today, we see an attack on Government proposals that were published in the autumn of last year, which had been supported in large part by the Leader of the Opposition and his Front-Bench team. Yet they have just discovered now that they find some truck with some elements of it. This shameless and shameful opportunism would be extraordinary in any other group of people, were it not for the fact that this Opposition have shown themselves to be experts in turning opportunism into a low art.

At the end of last year, the Opposition spokesman said:

> "I am not going to say Ken Clarke is being soft on crime… because he is asking the right questions about rehabilitation rates".

What of the speech of the Leader of the Opposition to the Labour party conference just minutes after he had been made the new leader? He said that

> "when Ken Clarke says we need to look at short sentences in prison because of high re-offending rates, I'm not going to say he's soft on crime… This new generation must find a new way of conducting politics."

What a new way of conducting politics—to agree to radical and brave proposals by my right hon. and learned Friend the Justice Secretary and come here and attack them the minute the bandwagon is passing. The Opposition are so misguided because for the first time in a generation a Government have been brave enough to make difficult proposals that will help victims in the long run.

Mr Kevan Jones (North Durham) (Lab): I am interested to hear the hon. Gentleman's forthright views on opportunism. He was not a Member before the last election, but his party, including his leader, were very good at opportunism at that time. Has he tested any of these ideas on the electorate of Ipswich?

Ben Gummer: I thank the hon. Gentleman. Although there are many things on which I agree with my hon. Friend the Member for Shipley (Philip Davies), who spoke previously, I differ on this issue. At the last election, I was very plain with people when they spoke about prison reform. The hon. Gentleman might know that I have had a long-running interest in the subject. I told people in Ipswich what I am about to explain to him now—that our current penal system does victims a disservice.

It is not a difficult equation to understand, although I know the Opposition do not understand problems in this way. It was the same with the hospital debate. Instead of looking at how to improve cancer survival rates, they look at the structures of GP fundholding. In this instance, they look not at how to improve the experience of victims or how to bring down crime, but at how many people we are sentencing and for how long. They are looking at processes and inputs rather than results. If we turn that on its head and look at the victim rather than the criminal, as we have been asked to do, we might find a different way out.

We want to do something for victims, of whom there are too many. We wish to cut crime. We know that the majority of crime is committed by people who have already offended once or many times previously. What do we do about it? Do we try to increase reoffending rates or do we try to reduce them? It is the experience of Members of all parties that the prison, probation and the community service system are failing on every single account to encourage rehabilitation and to cut the number of victims.

Andrew Percy: I thank my hon. Friend for his brave speech. No victim of crime in Brigg and Goole has ever written to me to say that they wished the people who had committed crimes against them had served shorter sentences. On this issue, he seems to be separating out the idea of prison from rehabilitation, but is it not possible to have both prison and rehabilitation by conducting rehabilitation in prison?

Ben Gummer: I completely agree with my hon. Friend, as he will find out if he listens a little further. I am a great proponent of tougher prison sentences, of making them longer for certain crimes and of taking away the televisions and the PlayStations in favour of making prisoners do hard work during the day, learn a skill and work towards being creative members of society on coming out of prison.

The problem with the case of Labour Members, some of whom have made an alliance with some of the more extreme Conservative Members [HON. MEMBERS: "Name them."] No, they know who they are! It is an interesting alliance. *[Interruption.]* Just wait and they will be proposing flogging next. What Labour Members do not understand is that for short custodial sentences, we are seeing increasing rates of reoffending, which means only more victims. That is not to say that we should be putting people on pansy community sentencing; we should not, because many of those sentences do not work. Why can we not follow the example of the Germans, who have a prison population of 72,000 people in an overall population of 80 million; or of France, whose prison population is 60,000 in an overall population equivalent to our own? In both jurisdictions, crime is lower because their community rehabilitation systems are stronger, especially for short-term custodial sentences.

We have heard from Members representing constituencies in the north-east and the north-west, where more than two thirds of court cases crack before their end either through the incompetence of the Crown Prosecution Service or because of the guilty plea being made either mid way through or at the end of the trial. None of that does anything to help victims, which is important, and on top of that it commits millions of pounds that could be spent on picking up criminals, putting them in court, convicting them and keeping them in prison if they are a danger to the public.

Let me finish with another point about criminals. The victims commissioner, Louise Casey, said of these cracked trials that they increase "anxiety among victims" and cause great fear among witnesses at the "prospect of giving evidence". Why cannot Opposition Members congratulate the Justice Secretary on bringing proposals to the House that will reduce anxiety among victims and help to improve the prospects of bringing people to justice rather than just jump once again on to a passing media bandwagon? I am afraid that they also show once again that in the absence of their own policy, the Opposition have nothing to offer this country—not even an apology for their grievous mistakes over the past 13 years.

6.39 pm

Nia Griffith (Llanelli) (Lab): We would all like to see prison population decline, but for the right reasons. We would like to see a continuation of the reduction in crime that took place when we were in government. I will not dwell on the devastating effects that the drastic cuts in the police budgets are likely to have on crime detection rates, as my hon. Friends will raise that issue in this evening's second debate.

We all want to see a reduction in crime and Labour Members believe that crucial factors in reducing crime include ensuring good education opportunities for all our young people; ensuring job opportunities for all; ensuring that everyone, including those on the lowest wages, have enough to live on; providing proper mental health services in a fully funded public national health service; and tackling issues such as drug and alcohol addiction.

As was pointed out by members of the audience during last week's "Question Time"—prison officers and prisoners alike—when people do end up in jail, it is important that proper help and support is provided to rehabilitate prisoners so that they can be reintegrated in society. However, that requires funding and space, which was one of the reasons for our plan to provide more prison places. Many electors thought that that was also the policy of the Conservative party, and they must feel badly let down, because they now understand that the Conservatives' policy is simply to reduce sentences for violent crime. Some new prisons, such as the prison that we planned to build in north Wales, would also have enabled prisoners to remain closer to their communities, with important consequences in terms of family contact and increased chances of successful release.

Constituents of mine are horrified by the Government's proposals. They are horrified by the idea that sentences could be reduced by 50% in the case of all offences in the event of early guilty pleas. They are horrified by the fact that those offences would include violent crimes such as rape, and by the fact that a convicted rapist

[Nia Griffith]

could serve only 15 months in jail. As the Secretary of State will know, in 2003 Labour introduced the Sentencing Guidelines Council, the forerunner of the Sentencing Council, which came into being in 2010 and is charged with promoting a clear, fair and consistent approach to sentencing. It opposes the 50% reduction, believing that an offender's decision to plead guilty should not be allowed to reduce a sentence by more than 35%. It has also said—this is for the information of the hon. Member for Ipswich (Ben Gummer)—that the reduction will not increase the tendency of defendants to plead guilty.

I am particularly concerned by the Government's attitude to rapists and their victims. Last year they proposed anonymity for rape defendants, sending the message that such defendants needed more protection than others because their accuser was more likely to be lying. That was a disgraceful suggestion and proposal. It is hard enough for a woman to report a rape and undergo the dreadful ordeal of having to relive the experience in order to see justice done, without her being made to feel even more undermined because the defendant's right to anonymity implies that she is lying. I am glad to report that following fierce opposition from Labour Members—led by my right hon. Friend the Member for Don Valley (Caroline Flint)—the proposal was dropped.

It was even more depressing to hear the Secretary of State's rather flippant comments about rape last week. Particularly depressing was his comment about date rape. Date rape can involve deception, betrayal of trust, and drugging someone with no regard for the harmful effects that that can have: acts undertaken deliberately to violate the victim's body. There is nothing glamorous about that. A rape in those circumstances is still a rape, a disgusting, despicable act. The rapist deliberately places his victim in circumstances that could be life-endangering, not only carrying out the rape but possibly even thinking, at the back of his mind, that the effects—or perceived effects—of memory loss may make the victim less likely to seek help very shortly after the crime, and that the victim may have considerable difficulty in describing events or being believed. It certainly does not help for the Secretary of State to imply that that is somehow a less serious kind of rape.

All rapes, and all violent crimes, must be taken very seriously, and their perpetrators must be punished properly. My constituents and I certainly do not want to see a 50% reduction in sentences in exchange for early guilty pleas by those who have committed violent crimes, and I sincerely hope that the Government will drop their plans as soon as possible.

6.44 pm

Anna Soubry (Broxtowe) (Con): I have been a Member of Parliament for a year, but I do not think that I have ever smelt such rank political hypocrisy as that which is emanating from the Opposition Benches. I practised as a criminal barrister for 16 years, just a little longer than the tenure of the last Government. During those 16 years, and particularly during my 13 years at the criminal Bar, I saw almost daily the harsh reality of their sentencing policy, a policy which led to the present chaotic state of our prisons and which neither added up nor delivered all that they claimed it would do.

As Members may recall, Labour claimed to be tough on crime. They used to say that they were turning the key on the prison gates and bars in order to secure someone, but at the same time they could not push people out too quickly. That is why we saw the release schemes enjoyed by so many people during their time in office, and why I asked the shadow Secretary of State about overcrowding. That is the last Government's legacy, and that is the reality of Britain's prisons today.

What has the policy of the last Government meant in the real world in which some of us worked before we came to this place? I had clients aged 18 and 19 who were on remand, which meant that they were innocent, and in adult prisons because there were no places for them in young offenders' institutions. I had clients who, when I asked them whether they been to see their drug worker, said that they had been unable to arrange an appointment because of the overcrowding. I had clients—as I now have constituents—who were willing to go on courses in order to be rehabilitated and educated, and who could not obtain places on those courses. That is the legacy of the Labour party. It is an absolute disgrace, and it is even more disgraceful that they are in denial about it.

Karl Turner: Does the hon. Lady agree with the policy of reducing sentences by 50%? If so, given all her professional experience during her 16 years of practice as a barrister, how does she think it can be justified, and does she think it will work?

Anna Soubry: I am happy to answer the hon. Gentleman's questions. The reply to the first is yes. Being a lawyer himself, he will know two things. First, there is a good argument that in lengthy, tedious, multi-handed fraud cases, allowing a judge to give a 50% discount will do what everyone wants and crack heads together, and that it will work. Secondly, it is dishonest of Labour Members to criticise this Government for proposing a 50% increase when the present law allows it, as the hon. Gentleman well knows—or, at least, should know, as he is meant to be a lawyer. At present a judge has discretion, if he or she so chooses, to allow a discount of more than 50%, depending on the circumstances of the case.

My complaint, which I have expressed in public before, is about those who are excessively prescriptive and tie our judges' hands. One of the big failings of the Labour party was that in all aspects of policy, it consistently failed to trust professionals: our teachers, our nurses and our doctors. It also failed to trust our judges. If we freed their hands and enabled them to decide the appropriate sentence given all the circumstances of a case, there would be greater honesty in our sentencing policy, and there would undoubtedly be better sentencing.

There are many issues that I would have liked to discuss, but I shall mention only two more. The first relates to events that took place last week. I say this as a woman: I find it offensive when the issue of rape is turned into a women's issue, taken up by people and used as a political football. As I have said in this place before, some victims of rape are male, and a considerable number of victims of rape are children. It is not a women's issue, and some of the hysteria that we heard last week did no one any favours.

Fiona Mactaggart: I suspect that the hon. Lady may be partly referring to me. Yes, there are male victims of rape—although there are fewer than one in 10—and of course there are child victims of rape. However, the issue affects women much more than men. That is the point I was making.

Anna Soubry: I was not referring to the hon. Lady, whom I congratulate on the work that she did in enabling not just women but children to come forward and give evidence, and indeed improving sentencing. On the issue of men, she gave the statistic of 1%. I am always a bit cynical about statistics. [HON. MEMBERS: "It was 10%."] Forgive me: it was 10%. I strongly suspect that, because of the stigma attached to rape, many more men are raped than come forward, but let us hope we can debate that on another occasion.

My next point highlights why many Members, certainly on the Government Benches, feel somewhat cynical when the issue of rape is raised. Can the shadow Justice Secretary explain why in this place last week the Leader of the Opposition was for the first time flanked by two women—the deputy leader of the Labour party and the shadow Home Secretary, but not the shadow Justice Secretary—when he questioned the Prime Minister about the various comments made by the Lord Chancellor? Was that a deliberate ploy? Did the Leader of the Opposition surround himself with women to make some point? I ask that question because rape is not a women's issue; it concerns everybody, and many of us are particularly concerned about the effect it has on children.

I am greatly in favour of the Government's sentencing proposals. Their document on the matter is radical and brave, and I agree with the many comments made by Government Members about short sentencing.

Richard Drax (South Dorset) (Con): Does my hon. Friend think that the victims she has met during her career will be reassured to hear that we are proposing to cut sentences by, perhaps, a half? How will that go down with the victims my hon. Friend has met?

Anna Soubry: I hope my hon. Friend will forgive me for saying that one of the difficulties that arise in our discussions on sentencing is when we speak about issues with a lack of information and understanding. First, let me say that victims are not all the same. They come in different shapes and sizes, and with different experiences. Sometimes—although very rarely—victims want to give evidence in order to exorcise what has happened to them. I am not for one moment talking here about rape victims, but this point applies to certain other categories of victim, such as some victims of burglary. Other victims, however, are terrified about giving evidence and would do anything rather than go into the witness box. We must therefore stop taking a broad-brush approach to sentencing, victims and criminals. That is one reason why I so strongly support our proposals: they recognise that defendants and criminals must not be treated in this broad-brush way.

I especially commend community sentences for people who have not committed the most serious offences. Tough community sentences can and do work. When faced with the prospect of another six months in custody or a tough two-year community sentence, many of my clients wanted the community sentence—

Madam Deputy Speaker (Dawn Primarolo): Order. Time is up. I call Karl Turner.

6.53 pm

Karl Turner (Kingston upon Hull East) (Lab): It is a pleasure to follow the hon. Member for Broxtowe (Anna Soubry). I have not got as much professional experience as her; she practised as a criminal barrister for 16 years, whereas before the general election I was a pupil barrister in my local chambers in Hull. I practised as a criminal solicitor for some time prior to that, however, and I have not met or spoken to anyone from the profession in recent days who has said the policy in question is a good one. Indeed, I have spoken to Members who sit on the hon. Lady's side of the House, including practising barristers, who have said that this policy is simply wrong.

I have a great deal of respect for the Lord Chancellor; I think he is a very honourable man, and I am sure that the explanation for his remarks last week is that he did not choose his words very well. Indeed, to be honest, when I heard, and listened back to, his comments, I understood the point he was trying to make. The reality, however, is that some sentences that are currently on the statute book are too low. In an earlier intervention, I made a point about convictions and sentences for the offence of causing death by careless driving while over the limit—*[Interruption.]* I have done the maths; the hon. Member for Broxtowe might be able to correct me if she thinks she is more experienced than me. The figure for that offence is nine months. How can that possibly be fair to victims? Also, the maximum sentence for the offence of dangerous driving per se is two years' imprisonment, but that offence often causes paralysis; it leaves people in wheelchairs, their lives ruined, yet the starting point is 12 months.

There is no evidence that the proposed policy will encourage people to plead guilty even earlier.

Anna Soubry: Will the hon. Gentleman give way?

Karl Turner: No, I am sorry, but there is not sufficient time.

There is no evidence to support this proposal. I suspect that the Prime Minister will kick this bonkers idea into the long grass pretty soon. Drop it now.

6.55 pm

Helen Goodman (Bishop Auckland) (Lab): Last week, the Justice Secretary showed us how out of touch he is with the women of this country, and this afternoon we have had a demonstration of how out of touch he is with communities on the issue of crime. In recent days, the Justice Secretary has said that he does not want to change sentences for serious crime, and he said that again this afternoon. He is playing word games with the public, however, because he knows perfectly well that under his proposals people could spend just one quarter of the sentence given to them by the judge in prison. The safety of our communities is too serious for us to play these word games.

No wonder the public lose trust in the system.

> "many people feel that sentencing in Britain is dishonest and misleading."

The Tories said that in their manifesto, and they promised to improve transparency; another broken promise. As my hon. Friend the Member for Llanelli (Nia Griffith) said, they promised to redevelop the prison estate and

[Helen Goodman]

increase capacity. Instead, they are cutting the prison building programme. The one manifesto promise the Justice Secretary has fulfilled is to

> "stop talking tough and meting out ever longer prison sentences"

That promise was in the Liberal Democrats' manifesto, of course.

My hon. Friends the Members for Llanelli and for Slough (Fiona Mactaggart)—the latter was an excellent Home Office Minister in the previous Government—have spoken of their concerns about the way the issue of rape was treated last week. That revealed that the ministerial team does not know the facts and does not know the law.

Unfortunately, most of the 1,000 rapes that are committed every week in this country are committed by partners and ex-partners. Also, the law has changed since the Secretary of State was practising at the bar in the last century, and he should know what it now is. Consensual sex between an 18-year-old and a 15-year-old is unlawful, but it is not rape.

The Labour Government ended cross-examination by assailants, and they ended questioning on people's sexual pasts. The way to win the confidence of women in this country is not to cut the sentence for people convicted of rape; rather, it is to keep the specialist police, maintain local authority support for sexual assault referral centres, and listen to the groups and lawyers working with victims. The Ministry of Justice needs a woman in the team, and the Prime Minister should find one PDQ.

Many Members have spoken about the legacy that was left for the current Government. Government Members should remember that Labour cut crime by 43%, and cut reoffending by 15%. As my right hon. Friend the Member for Knowsley (Mr Howarth) pointed out, the Labour Government understood the role that prison plays, which is why we increased the number of places by 26,000.

Everyone wants to cut reoffending and tackle the underlying problems, and the hon. Member for Maidstone and The Weald (Mrs Grant) made an excellent speech on the issues faced by women offenders. The points she made highlight why we followed the recommendations in the Corston report and the Bradley report on prisoners with mental health problems, and why we invested £170 million in literacy and numeracy skills, and set up new workshops in prison.

Early guilty pleas can speed up trials and reduce the pressure on victims, but the real reason why the Government are going ahead is to save money, as the Secretary of State made clear. The Government's own estimate is that a discount of up to 50% would reduce the number of prison places by 3,500 and save £130 million. The proposal in the Green Paper appears not in the section on victims, but under the heading

> "Efficient, effective use of the courts."

That is the real motivation. Of course cutting the deficit matters, but it is not the only thing that matters, and it is not possible to put a price on justice.

What is so radically wrong with the Government's proposal to introduce a 50% discount for early guilty pleas is that it undermines the justice of the sentence that is finally served. Many criminals who would have pleaded guilty early anyway will benefit. Can the Minister tell us how many thousands of prisoners fall into that category? The Ministry of Justice estimates in its impact assessment that the average discount will rise from 25% to 34%, and that is totally unjustified.

As was pointed out by the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith), the Chairman of the Select Committee on Justice, Ministers have produced no evidence to suggest that the proposal will affect the number of people pleading guilty early. Indeed, the Sentencing Council will say that the strength of prosecuting evidence is the crucial factor, and the Council of Her Majesty's Circuit Judges feels that many offenders are

> "irrational or dysfunctional and will not face up to the realities until the last possible moment."

As the hon. Member for Shipley (Philip Davies) pointed out, short sentences are known to be ineffective—that is obviously why the Ministry of Justice wants to increase the number of people on them. Another problem with the proposal is that the reduction is formulaic, so those who have committed the worst offences get the biggest cuts in prison terms—that is simply not fair. This proposal will apply to terrorists and last week Lord Carlile said:

> "The release of every prisoner convicted of a terrorist offence has a national security implication and the sooner they are released the greater the national security implication."

The overwhelming problem is that the punishment will not fit the crime. My hon. Friends the Members for Birmingham, Selly Oak (Steve McCabe) and for Darlington (Mrs Chapman) pointed out that victims will feel let down and the public's confidence will be shattered.

Claire Perry (Devizes) (Con): The hon. Lady speaks with her usual passion on this subject, but did she speak with this passion when the previous Government introduced a 33% discount for an early guilty plea?

Helen Goodman: The hon. Lady should have listened to the debate; we have gone through that argument already.

I want to move on to the important issue of the Secretary of State's "rehabilitation revolution". That is what he has promised, but the cuts programme he has agreed—23% over four years, with a loss of 10,000 prison and probation staff—will make it impossible. He says that he wants to increase the number of hours that prisoners work from 22 to 40, but his own impact assessment says that that will need more up-front capital and ongoing staff costs to supervise prisoners for longer. He has already cut £170 million from prisons, which means that prisoners will be locked up in their cells for longer. We are already seeing cuts to education and restorative justice work with offenders.

He says that he wants more community sentences, but effective community supervision is impossible with the huge cuts to the probation trusts. As the Chairman of the Select Committee pointed out, we need to reinvest in community supervision, but this year Nottingham's probation trust faces a cut of 7%, and the trusts of Norfolk and Suffolk, Devon and Cornwall, and West Yorkshire face cuts of 7.2%, 7.8% and a staggering 9.8% respectively.

The strategy is just not credible; nor are the Ministers. The year began with the prisons Minister standing in front of a burning prison as the third riot of his tenure took place. Last week, he said that "a moment's reflection" would make it clear that giving half off a sentence would help to protect the public. He has now had a week's reflection and we see from the Order Paper that the Government are stubbornly sticking to their policy. So I urge all hon. Members to reject the amendment and vote for the Opposition motion.

7.4 pm

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): I am grateful for the chance to have a few minutes to reply to the debate and to present a set of arguments to explain why the Opposition motion is a good example of how not to debate or approach public policy in this area. It was my answer to a question here last Tuesday from the right hon. Member for Blackburn (Mr Straw) that led to the debate last week and, as that has developed and as we have heard this afternoon, there is a growing appreciation and understanding that the simplicity of the Opposition motion cannot do justice to the complexity of the issues and factors we must reconcile. The motion is outside any proper context and is premature, prejudging proper consideration of our policies as a whole. It is also rather instructive that it has come forward after a prompt from media coverage and the right hon. Gentleman. I would have thought that our policy inheritance from the previous Government would have given today's Opposition Front-Bench team pause for thought before they tabled the motion.

A real reason for regret is that the Opposition motion indicates that a window might be closing on a unique opportunity for Parliament to show collective leadership in a difficult, complex area that is wide open to misrepresentation. We might be missing an opportunity to engage in a responsible debate and support a process in which policy is agreed on the basis of the evidence for its enduring benefit, not designed to deliver maximum short-term appeal, with evidence arranged to suit. Such support requires an exercise of principle and restraint from all of us.

Mr George Howarth *rose—*

Mr Blunt: I must apologise to the right hon. Gentleman but in order to reply to those who have contributed to this debate, himself included, I will not be able to take interventions if I am to do justice to the speeches that have been made.

Last year, when the right hon. Member for Doncaster North (Edward Miliband) distinguished his leadership campaign, so successfully managed by the shadow Justice Secretary, by taking a sensible position on criminal justice, moving away from the populist approach of the previous 13 years, it was greeted with enormous relief by many Labour supporters with a deep and continuing interest in criminal justice. As my hon. Friend the Member for Ipswich (Ben Gummer) reminded us, the right hon. Gentleman reiterated the position at his party conference speech immediately after his election as leader. So I hope sincerely that we can sustain a level of examination of these issues in this House that we can be proud of in the years to come and not just regret a unique period when we had a great chance of delivering a more effective criminal justice policy of some durability but bottled it. Happily, a number of speakers did actually make a constructive contribution this evening.

Karl Turner *rose—*

Mr Blunt: As I have explained, if the hon. Gentleman wants me to reply to his remarks, I am not going to be able to give way.

The hon. Member for Bishop Auckland (Helen Goodman) said that we did not know the facts, but I wish to use this occasion to correct one or two mistakes of the shadow Justice Secretary. First, sentences of imprisonment for public protection—IPPs—are not automatic for rape sentences. He was also not wholly accurate on the release conditions for all those 80,000 people released 18 days early; the process was automatic to a set of criteria and no individual risk assessment was carried out. The hon. Lady also referred to the cuts to the probation trusts, but they are Labour cuts; they are the plans that the probation trusts were putting in place and they were in place under the previous Administration with the establishment of the probation trusts in the first place.

The right hon. Member for Knowsley (Mr Howarth) complimented the style of the Secretary of State and I am grateful for that. He also drew attention to public attitudes in this area. My right hon. Friend the Member for Berwick-upon-Tweed (Sir Alan Beith), who chairs the Justice Committee, made it clear that the aims of our policy were sensible, and I am grateful for that support. He raised perfectly proper questions about the detail of our proposals, and they will have to be properly addressed when our proposals are brought forward.

The hon. Member for Birmingham, Selly Oak (Steve McCabe) made a good contribution, accepting our sincerity, and I wish to compliment him on his. He agreed with the Lord Chancellor on wanting to see how this policy will be deployed in detail, but his contribution would have been more credible if he had been waiting for the policy to be considered in detail and not just supported the motion.

My hon. Friend the Member for Shipley (Philip Davies) is, of course, wholly consistent in his position and I compliment him on that. I continue to be grateful to him for his attention to detail in this area and for putting us to a proper test of the evidence. He very properly raised issues about the effects of incarceration that must be addressed and we must consider the evidence from around the world. I have engaged with him on this issue and will continue to do so.

The hon. Member for Slough (Fiona Mactaggart) was just a little ungracious about our women offender policy. She was at the debate the other week, which was answered for me by the Under-Secretary of State for Justice, my hon. Friend the Member for Huntingdon (Mr Djanogly) while I was visiting Wakefield prison, and she was at the reception for the Corston independent funders' coalition at which I made it clear that we were continuing the policy that she and other Ministers had begun. Indeed, we have been complimented and congratulated by lobby groups in that area and I am grateful for the support of my hon. Friend the Member for Maidstone and The Weald (Mrs Grant) in that regard, too.

[Mr Blunt]

I am afraid that the hon. Member for Llanelli (Nia Griffith) totally misrepresented the views of my right hon. and learned Friend the Justice Secretary. My hon. Friend the Member for Broxtowe (Anna Soubry) made a powerful contribution with strong words about the consequences of the sentencing policy we inherited. I appreciate her authoritative and strong support for the Green Paper proposals.

When we return after the Whitsun recess, the Government will present our response to the consultation on our proposals in "Breaking the Cycle" and at the same time we will publish our proposed legislation on legal aid and sentencing. We need to remember what we are trying to achieve by reinforcing our proposals for effective punishment and rehabilitation through our proposed legislative changes. The comprehensive package delivers appropriate punishment, which can carry confidence, of offenders in prison and the community. It sits with the delivery of public protection today through imprisonment and in the community through curfews, tagging, oversight and reporting requirements and with the delivery of public protection tomorrow through breaking the cycle of crime for today's offenders with effective rehabilitation and early intervention to help prevent people from becoming offenders in the first place, getting proper restoration for victims from offenders and supporting victims and witnesses through the justice process. An important element of that involves obtaining more and earlier guilty pleas.

The merits of an early guilty plea are substantial and bring a number of discrete benefits. The first is early relief for the victim as the ordeal of the crime and of reporting it will not be compounded by months of waiting to give evidence with all the attendant anxiety. Secondly, taking some of the pressure off victims and witnesses will enable us to bring more offenders to justice. Thirdly, the police can make savings in investigatory time and effort and the Crown Prosecution Service can save considerable process time. Fourthly, the offender will possibly make considered reparation to the victim, perhaps through a restorative justice process that can deliver a measure of real accountability to the victim as well as to society. Fifthly, there will be earlier identification and engagement with appropriate rehabilitation to address the underlying causes of offending behaviour. Sixthly, of course, the administration of justice is an expensive obligation for the taxpayer and the state and if offenders co-operate with that process from the earliest opportunity, the taxpayer is saved expense, which must be welcome in this financial climate.

What we do here is for the future, and I have not seen it better expressed than it was last week by a student, Felix Danczak, writing in Cambridge university's *Varsity* newspaper:

> "Debate drives society—it is only through engaging with issues that we progress, gain new understanding and recognise nuance. Vilifying Mr Clarke, without a prior critical engagement with the issues at stake, is to leave us at the mercy of a polity driven only by the fear of scandal, unwilling to make substantive changes lest their rolling heads be paraded above the fold. If we want change, if we want positive development in society, we too need to recognise the importance of complexity."

We have a duty to that generation that we will abrogate if we do not rise to the challenge of the complexity of policy in this area. The motion does not do that and if the Opposition insist on pressing it to a Division, I must ask the House to resist it.

Question put (Standing Order No. 31(2)), That the original words stand part of the Question.

The House divided: Ayes 221, Noes 303.

Division No. 284] [7.14 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Alexander, Heidi
Allen, Mr Graham
Anderson, Mr David
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Dame Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Gordon
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Burnham, rh Andy
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clarke, rh Mr Tom
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
Darling, rh Mr Alistair
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
Davies, Philip
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Docherty, Thomas
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Engel, Natascha
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Flello, Robert
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Fabian
Hanson, rh Mr David
Harris, Mr Tom
Healey, rh John
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hilling, Julie
Hodge, rh Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollobone, Mr Philip
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Graham
Jones, Helen

Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Khan, rh Sadiq
Lammy, rh Mr David
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lewis, Dr Julian
Lloyd, Tony
Lucas, Ian
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Main, Mrs Anne
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonagh, Siobhain
McGovern, Alison
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Miliband, rh Edward
Miller, Andrew
Mitchell, Austin
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M. *(Easington)*
Mudie, Mr George
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
Nuttall, Mr David
O'Donnell, Fiona
Onwurah, Chi
Pearce, Teresa
Percy, Andrew
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Spellar, rh Mr John
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Williamson, Chris
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Mark Hendrick and
Phil Wilson

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Benyon, Richard
Beresford, Sir Paul
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Mr Crispin
Boles, Nick
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burrowes, Mr David
Burstow, Paul
Burt, Alistair
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davies, Glyn
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorries, Nadine
Doyle-Price, Jackie
Duddridge, James
Duncan Smith, rh Mr Iain
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Fallon, Michael
Farron, Tim
Featherstone, Lynne
Field, Mr Mark
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hendry, Charles
Herbert, rh Nick
Hinds, Damian
Hollingbery, George
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Leech, Mr John
Lefroy, Jeremy
Leigh, Mr Edward
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lucas, Caroline
Luff, Peter
Macleod, Mary
Maude, rh Mr Francis
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther

Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Milton, Anne
Mordaunt, Penny
Morgan, Nicky
Morris, David
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O'Brien, Mr Stephen
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Paice, rh Mr James
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reid, Mr Alan
Rifkind, rh Sir Malcolm
Robertson, Hugh
Robertson, Mr Laurence
Rogerson, Dan
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stanley, rh Sir John
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Sturdy, Julian
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Wiggin, Bill
Willetts, rh Mr David
Williams, Hywel
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Yeo, Mr Tim
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Noes:
Mr Philip Dunne and
Norman Lamb

Question accordingly negatived.

Question put forthwith (Standing Order No. 31(2)), That the proposed words be there added.

Question agreed to.

The Deputy Speaker declared the main Question, as amended, to be agreed to (Standing Order No. 31(2)).

Resolved,

That this House deplores the previous Government's failure to tackle the national scandal of reoffending and its mismanagement of the justice system; notes that discounts for guilty pleas have been an established principle of common law for decades, and that they can speed up justice and spare victims and witnesses the ordeal of waiting and preparing to give evidence at trial; and welcomes the Government's intention to overhaul sentencing to deliver more effective punishment for offenders and increased reparation for victims and to reform offenders to cut crime.

Madam Deputy Speaker (Dawn Primarolo): Order. Would Members leaving the Chamber do so quickly and quietly, please, so that we can start the next debate? *[Interruption.]* Private conversations are good, but preferably outside the Chamber.

Policing and Crime

7.31 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I beg to move,

> That this House opposes the Government's cuts leading to over 12,000 fewer police officers across England and Wales; believes that the 20 per cent. cut to central Government funding to the police goes far beyond the assessment of HM Inspectorate of Constabulary of efficiency savings that are possible without affecting frontline services; calls on the Government to withdraw plans for American-style police and crime commissioners for which there will be no checks or balances; and believes that the Government is making it harder for the police to cut crime by weakening the National DNA Database, leading to the loss of 1,000 criminal matches per year; ending anti-social behaviour orders, increasing bureaucracy on CCTV, creating serious loopholes in child protection and failing to develop any cross-Governmental strategy to cut crime.

This is our fourth debate on policing and crime on the Floor of the House in the past four months. Time and again we have warned the Home Secretary that she is stirring up a perfect storm on crime. Time and again we have warned the Prime Minister that he is making the wrong decisions on law and order, and they are still not listening. The Home Secretary is not listening to the warning words from chief constables across the country. She is not listening to the cries from communities such as All Saints in Wolverhampton, where hundreds of people have signed a petition to keep their local bobby on the beat. She is not listening to the public telling pollsters and researchers that they do not trust her party on crime. As she showed at the police conference last week, she also is not listening to the silence.

The storm we warned of is building. Cuts to police officer numbers are being felt. Front-line services that the Home Secretary promised to protect are being hit. There are cuts to youth services and family intervention projects that were helping to bring crime down. There is higher youth unemployment and poverty is rising. There are cuts to the powers that the police and courts need, and chaos in her policing reforms. American-style police and crime commissioners were rejected by the House of Lords for putting centuries of impartial British policing at risk.

Mr Tobias Ellwood (Bournemouth East) (Con): The right hon. Lady speaks of the Government not listening. Will she now listen to the Justice Department, whose statistics show that antisocial behaviour orders do not work? They are seen as a badge of honour, and three quarters of ASBOs are breached. Were Labour to come back into power, would she retract Labour's claims?

Yvette Cooper: The hon. Gentleman's concern about antisocial behaviour would be rather more convincing if he were criticising the cut of 250 officers and staff in his area. Antisocial behaviour orders are not right in every situation, but he obviously has not talked to police officers such as those I have spoken to in Wakefield or the community residents I have spoken to in Blackpool, who would tell him of case after case where antisocial behaviour orders have worked, have made a difference and are fighting antisocial behaviour in their communities. They are appalled at the Government's decision.

Paul Maynard (Blackpool North and Cleveleys) (Con): When the shadow Home Secretary was in Blackpool, did she join in welcoming the decision by the Lancashire constabulary to increase community policing in Blackpool, as it recently announced?

Yvette Cooper: The hon. Gentleman knows that while every chief constable across the country is trying to do everything they can to get as many police as possible out into neighbourhoods, the Lancashire constabulary is already being hit by cuts to front-line policing. The chief constable has raised his concerns about the cuts to front-line policing, including hundreds of officers and staff in his area.

Paul Maynard *rose—*

Mr Stewart Jackson (Peterborough) (Con) *rose—*

Yvette Cooper: I am delighted to give way to another hon. Member on the Government Benches, but their points would be more credible if they would tell us that they would put the cuts to police officers in their constituencies on their leaflets at the next election.

Mr Jackson: I am grateful for the campaigning advice from the right hon. Lady. Does she think one would have to be cynical to be perplexed by the fact that before the general election, her right hon. Friend the Member for Kingston upon Hull West and Hessle (Alan Johnson) was not prepared under any circumstances to name the percentage decrease in the budget for the police, but since the general election he just happens to agree with Her Majesty's inspector of constabulary on a 12% figure? Is that cynical, or does it reflect the fact that the Labour party has no policy on cuts in the police service?

Yvette Cooper: I am afraid the hon. Gentleman's facts are wrong. In fact, the former Home Secretary set out in November, before the election, areas where he believed reductions in the budget for the police could be made, which would come from efficiency savings. That is why he backed a 12% reduction, which was supported by HMIC, not a 20% reduction, which is hitting thousands and thousands of police officers across the country and putting front-line services at risk right across the country. Senior police chiefs are deeply troubled by chaotic changes to national policing, and police morale is at rock bottom. Members on the Government Benches are deeply out of touch if they think their constituents want to see 12,000 police officers across the country go.

Claire Perry (Devizes) (Con): The right hon. Lady references the former Home Secretary's comments about policing. He also said that officer numbers would fall under the spending programme proposed by Labour. The shadow Chancellor said that there would be reductions in non-uniformed police staff. What cuts and what staff numbers would she envisage under Labour's deficit reduction plans?

Yvette Cooper: We have been here before. We have had this debate before. There is a clear difference between our plans and the Government's. We said yes, there would be reductions—*[Interruption.]*—and that that would mean being able to maintain the number of police officers and police community support officers across the country and being able to maintain, as HMIC said, front-line services across the country. *[Interruption.]*

Madam Deputy Speaker (Dawn Primarolo): Order. It is one thing to make an intervention; it is quite another for Members to carry on shouting once an hon. Member has resumed her seat. There will be plenty of opportunity for Members to take part in the debate if we can make progress.

Yvette Cooper: The noise on the Government Benches conveys Members' desperation about the cuts being made to police officer numbers in their constituencies right across the country. The difference is that we said yes, cuts of about £1 billion would need to be made over the course of the Parliament; their Front-Bench team is making cuts of £2 billion, with the steepest cuts in the first few years. That is why we are seeing 12,000 officers go and front-line services being hit.

The storm will not go away. It will keep building. The Prime Minister may think he can make it go away by finally making a speech on crime in the next few weeks—his first since the Government began—just to show that he is taking the grip that he clearly thinks the Home Secretary and the Justice Secretary lack. But it is too late for tough rhetoric, because communities across the country are already facing a tough reality—12,000 police officers to go.

How can the Government have got so out of touch on law on order? Many people have claimed that the Prime Minister just doesn't get it—that he is out of touch and does not understand the fear of crime in communities across the country. It is true that crime is lower in Witney than in Wakefield, but one would have thought that the Prime Minister had plenty of experience of antisocial behaviour in his street. Surely the Defence Secretary must be the first candidate for an ASBO after throwing brickbats at the International Development Secretary and the Chancellor. The Business Secretary may need an injunction for throwing brickbats at himself.

The Justice Secretary has clearly been causing carnage wandering unmonitored through the TV studios. The Prime Minister should tag him at least, although Downing street probably thinks he is rather better locked up. The Secretary of State for Environment, Food and Rural Affairs should serve a community sentence, replanting trees, and the Deputy Prime Minister is clearly regarded now as a nuisance neighbour. The Secretary of State for Energy and Climate Change is the only one the Government can count on to be supportive—he is only person rather pleased to see the cuts to the traffic cops. The entire Cabinet is in desperate need of a family intervention project. What a shame the Government have cut those!

Time and again we have warned in the House of the serious consequences of cutting 12,000 officers. Let us look at the evidence: domestic violence units cut in Hampshire, officers in sexual offences teams forced out in London, traffic cops cut in Manchester, fire arms officers cut in Nottingham, CCTV officers cut in Merseyside, neighbourhood police cut in Birmingham and—get this—in Kent the police have told us that surveillance officers have been called off their targets after six-hour shifts because of overtime cuts. I presume that as part of the big society the Home Secretary has kindly asked criminals to keep their misdemeanours to office hours.

Angie Bray (Ealing Central and Acton) (Con): Will the right hon. Lady at least turn her attention to London, where the Conservative Mayor, Boris Johnson, through judicious management of his finances, is on course to increase the number of police officers by 1,000 by next year?

Yvette Cooper: Judicious only until the mayoral election, after which the number will be cut. The Mayor has realised, as Government Members everywhere else in the country seem not to have done, that the public do not like police cuts, so of course he is pretending to put the numbers up, having seen them fall already since the election.

Government Members tell us that all these problems will be solved by cutting bureaucracy, but even the Home Secretary's most optimistic claims are to save the equivalent of 1,200 police officers in several years' time. Unfortunately, she is cutting 12,000 officers now. As for the A19s, you couldn't make it up, with up to 2,000 experienced officers being forced to take early retirement. Chief constables are being put in an impossible position, forced to use A19s to make the savings that their forces need. However, now we see, with the calculations from the House of Commons Library, that when we take into account the lost tax and pension contributions that those police officers and police authorities were making, forcing those officers to retire early will actually cost the taxpayer more. Tens of millions of pounds spent and thousands fewer experienced officers on the beat—how on earth does that fight crime?

Michael Ellis (Northampton North) (Con): Will the right hon. Lady give way?

Yvette Cooper: I will give way to the hon. Gentleman if he can answer that question.

Michael Ellis: I am extremely grateful to the right hon. Lady, who is being generous in giving way. Will she accept that Labour would be cutting £7 for every £8 cut under the Government's proposals, that it is completely unacceptable for the police, as Her Majesty's inspectorate of constabulary has reported, to have only 11% of police officers on duty and available to the public at any one time, and that by cutting bureaucracy more police can be put on the streets, rather than filling in forms in the police stations?

Yvette Cooper: It is right to keep working hard to cut bureaucracy, but the hon. Gentleman is out of touch with the reality of what is happening across the country. In west Yorkshire, for example, the police are now having to go back to their offices between incidents to deal with the bureaucracy themselves because of the scale of the cuts, whereas previously they could ring in with the details of an offence or incident that they had attended. In the west midlands and Warwickshire, time and again police officers are having to do more paperwork and bureaucracy because of the scale of the Government's cuts.

It is not just the cuts that are causing the problems: the Government are also making it harder for the police and communities to fight crime. As a result of the DNA restrictions, the police estimate that there are 1,000 fewer criminal matches every year, including for serious offenders. It means not holding DNA at all in up to three quarters of rape cases, where charges are ultimately not brought, and we know the difficulties in rape cases.

On CCTV, the new code of practice means a bubble wrap of bureaucracy, with more checks and balances on a single camera than the Government are introducing for police and crime commissioners, yet the Home Secretary knows the benefits that CCTV can bring. They have just installed CCTV at Twyford train station in her constituency. Did she complain then that they had not done an impact assessment on the environment, privacy or disproportionality or introduce safeguards, as her code of practice required? No. She congratulated the station manager, saying that people needed the

"added reassurance that they can travel in safety".

Too right they do, and they do not want too much bureaucracy to prevent them from getting the reassurance they need.

Mark Tami (Alyn and Deeside) (Lab): Before my right hon. Friend moves on from CCTV, I wonder how many Members of this House have had constituents come to them demanding that CCTV be removed? I am sure that every Member has had large numbers of people come to them asking for more CCTV, rather than less.

Yvette Cooper: My hon. Friend is right. CCTV can make a difference for communities that are struggling, such as the community in Blackpool that I talked with a few weeks ago, who told me about the difference that having CCTV installed has made on their estate, where they had had persistent problems. CCTV was helping them to turn it around.

Philip Davies (Shipley) (Con): The right hon. Lady may have heard the Justice Secretary say in the previous debate how important it was from the Government's perspective to prevent people from having to be witnesses and give evidence in court and how distressing that was. Does she therefore agree with me, and I presume with the Justice Secretary, and recognise the role that DNA and CCTV play in preventing witnesses and victims having to go through the trauma of giving evidence?

Yvette Cooper: The hon. Gentleman is right, and I know that he has spent considerable time looking at the issue of DNA. When the police analysed the offences in 2008-09—just one year's worth of offences—they found that there were 79 matches for very serious crimes, including murder, manslaughter and rape, which they would not have got had it not been for the DNA database. The concern is about not holding DNA for people who are not charged, even though they might have been suspected of a very serious offence and where the reason for not charging may not be that they are now thought to be innocent, but simply that there are difficulties, as, perhaps in a rape case—we know it is sometimes difficult to take such a case through the criminal justice system.

The Government are out of touch with their plans to end antisocial behaviour orders. The Home Secretary has said that she wants to end ASBOs because she is worried that they are being breached, but what is her answer? Her answer is to replace them with a much weaker injunction, with greater delays, which offenders can breach as many times as they like. She is removing the criminal enforcement for serious breaches of ASBOs and removing interim ASBOs altogether, making it much harder for communities, police and local authorities to get urgent action when serious cases arise. No matter how many times an offender breaches the new crime prevention injunctions or ignores the warnings of the police, they will still not get a criminal penalty. They are not so much a badge of honour as a novelty wrist band. How does that help communities that want to see antisocial behaviour brought down?

The area that I worry about most is child protection. The Home Secretary has now been advised that there are serious loopholes in her plans—by the Children's Commissioner, the National Society for the Prevention of Cruelty to Children, the Children's Society, Action for Children, the Scout Association, the Football Association, the Lawn Tennis Association and countless other national sporting bodies. Her plans still mean that someone could be barred from working with children and yet still get part-time or voluntary work in a school or children's sports club and the organisation would not even be told that they had been barred. She really must stop and think again on this or she will be putting children at risk.

Time and again the Home Secretary is undermining the powers of the police and the authorities to fight crime. Time and again she is telling them to fight with one hand behind their backs. Worrying signs are already emerging. In Yorkshire, the police are saying that their figures show that crime has gone up this year. In the west midlands it is the same. Over the 13 years of the Labour Government, crime fell by 40%. The risk of being a victim of crime is now at its lowest since the British crime survey began and there is rising confidence in the police, but people want crime to keep falling. She is putting that at risk.

Andrew Bridgen (North West Leicestershire) (Con): The right hon. Lady has confirmed that she agrees with the independent inspectorate of constabulary that £1 billion-worth of savings can be made to the police without affecting front-line services. Could she share with the House what challenges she made to the Home Office budget when she was Chief Secretary to the Treasury in 2008-09 to remove this inefficiency?

Yvette Cooper: The hon. Gentleman will find that the Home Office made efficiency savings every year, and we can always rely on Chief Secretaries continually to press for them. Before the election, the then Home Secretary set out in the 2009 pre-Budget report, the 2010 Budget and in the policing White Paper a series of areas where, yes, savings could be made. It is right to make savings, but it is also right to ensure that we give the police enough resources to fight crime and to protect the public in their areas.

The Government tell us that they have no choice. That is rubbish. They have made a choice to put the Tory party's political timetable for deficit reduction ahead of keeping the public safe. They have made a choice to roll back police officers, because they do not believe in public sector action. They are hitting jobs in the economy, but they are hitting law and order, too.

This policy is driven by ideology, not by necessity. The Government are fighting the police rather than fighting crime, and they are making life easier for offenders and harder for victims of crime. They have turned their backs on communities, they are out of touch on crime and justice, and communities throughout the country will pay the price.

7.50 pm

The Secretary of State for the Home Department (Mrs Theresa May): The Opposition's motion is wrong in every point of fact and wrong on every point of policy. Given that they seem to have so little knowledge or understanding of policing and crime, let me deal with each of their points in turn.

First, the motion says that the Government are cutting 12,000 police officers throughout England and Wales. Of course, that is not Government policy. Decisions on the size and make-up of the police work force are a matter entirely for chief constables to take locally in conjunction with their police authority and, from May 2012, with their police and crime commissioner.

Mr David Anderson (Blaydon) (Lab): Can the right hon. Lady say exactly how much money is being cut from budgets that are going to police authorities?

Mrs May: I think the hon. Gentleman asks me how much money is being cut from budgets to police authorities. The average cut this year in real terms from central Government funding for police is 5.5%, but each police force area raises funds through the precept.

I heard the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the shadow Home Secretary, complain when I made the point that decisions on police numbers are a matter for chief constables, yet in an interview with the *New Statesman* on 11 January she said that

"decisions will be taken and that is always going to be a matter for chief constables."

So, she agrees that such decisions are taken by the police authority and the chief constable together.

Her Majesty's inspectorate of constabulary says in its most recent report that the size of the work force gives no indication whatever of the quality of service a force provides to its community, and that is because of all those officers who are sat behind desks, filling in forms and giving no benefit to the public. What matters is the visibility and availability of officers and the effective use of resources, and many forces are increasing availability.

My hon. Friend the Member for Ealing Central and Acton (Angie Bray) made the point about the increased number of police officers under the Mayor of London, an elected individual responsible for policing in London. In Gloucestershire, the police force has put 15% more sergeants and constables into visible policing roles while reducing overall numbers, and by doing that in Gloucestershire it is increasing the number of police officers on the beat from 563 to 651.

Mark Tami: What does the right hon. Lady think she is doing to the morale of those people who work in the back office when she constantly decries the work that they do?

Mrs May: There are a number of roles in policing, and we have been absolutely clear about that, but we are absolutely clear also that some of those people working in police force back offices have to spend significant amounts of time filling in paperwork—imposed by the previous Labour Government—which is taking up valuable time and effort. I shall deal with that issue further in a few minutes.

In London, alongside the new recruitment of police officers in the Metropolitan police area, the Met is also getting more officers to patrol alone, rather than in pairs, and better matching resources to demand, thereby increasing officer availability to the public by 25%.

Given that the Opposition are getting their facts wrong, let us look at the real facts.

Geraint Davies (Swansea West) (Lab/Co-op): Does the right hon. Lady agree that, on reflection, increasing the cuts from Labour's proposed 12% to 20% is a false economy? It will critically impact on the number of front-line officers, and the cost of increased crime will be much greater than the savings to police forces, so should not she go back to the drawing board?

Mrs May: No. I do not accept the hon. Gentleman's argument at all, and in a few minutes I will address exactly that point about funding.

Let us look at the facts. Our police forces understood perfectly well that they would have had to make reductions in staff numbers no matter which party was in power. The Home Affairs Committee, chaired by the right hon. Member for Leicester East (Keith Vaz), found that almost all police forces were predicting future staff losses by January 2010—months before the election. In fact, 21 police forces—almost half of all police forces—saw falling officer numbers in the five years up to March 2010, when we had a Labour Government.

Indeed, as my hon. Friend the Member for Peterborough (Mr Jackson) said, when Labour's last Home Secretary was asked during the election campaign whether he could guarantee that police numbers would not fall under Labour, he answered no. The right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) understood that he could not guarantee police numbers, so why is the right hon. Lady not so straight with the public?

Mark Tami: If, as the right hon. Lady says, every party knew about the issue before the previous election, why did the Liberal Democrats promise 3,000 extra police?

Mrs May: I suggest that, instead of trying to look across to Government Members, the hon. Gentleman asks his Front Benchers why they got this country into such a financial mess that we have had to be elected as a coalition Government to clear it up: two parties, working together to clear up the mess left by one.

The Opposition's mistake on the first point in their motion is linked to their mistake on the second point. They are simply wrong to suggest that the cuts that the Government are having to make that go further—cuts, let me remind them again, as I just have, that we are having to make because of the disastrous economic position that they left us in—

Geraint Davies: Will the right hon. Lady give way?

Mrs May: If the hon. Gentleman waits, he will find that I am about to come on to the point that he made in his first intervention.

Andrew Bridgen: There is a police station earmarked for closure in my constituency that is completely inefficient and unsuitable for modern policing. Local alternatives are cheaper and provide more community access, but is it not a sad indictment that such inefficient buildings are still being used, and is it not better to cut inefficient buildings rather than front-line policing?

Mrs May: My hon. Friend makes a very important point, and the sadness of the Opposition's position is that they would not be making such very important decisions that can lead to a better and improved service to the public. I commend my hon. Friend's local force for being willing to make such decisions.

I said that I would respond to the hon. Member for Swansea West (Geraint Davies) on the difference between the 12% cuts, which HMIC suggested could be made, and the Government's cuts. He and other Opposition Members who have raised the point in the past, including the right hon. Member for Normanton, Pontefract and Castleford, have obviously neither read nor understood the HMIC report, so let me tell them what it said.

HMIC found that more than £1.15 billion per year—12% of national police funding—could be saved if only the least efficient police forces brought themselves up to the average level of efficiency. Well, the state of the public finances that Labour left us is such that all forces must raise themselves up to the level not of the average but of the most efficient forces. That could add another £350 million of savings to those calculated in HMIC's report. But HMIC did not consider all areas of police spending. It did not consider IT or procurement, for example, and it makes absolutely no sense for the police to procure things in 43 different ways, and it makes absolutely no sense to have 2,000 different IT systems throughout the 43 forces, as they currently do.

With a national joined-up approach, better contracts, more joint purchasing, a smaller number of different IT systems and greater private sector involvement, we can save hundreds of millions of pounds—over and above the savings identified by HMIC.

Likewise, HMIC did not consider pay, because that was outside its remit, but in an organisation such as the police, where £11 billion—80% of total revenue spending—goes on pay, there is no question but that pay restraint and pay reform must form part of the package. That is why we believe, subject to any recommendations from the Police Negotiating Board, that there should be a two-year pay freeze in policing, just as there has been across the public sector. That would save at least £350 million—again, on top of HMIC's savings.

Mr Charles Walker (Broxbourne) (Con): I know that being in opposition is difficult, but I really hope we were not as bad as that lot over there during our time in opposition.

Would it not be possible to have a royal commission on police terms and conditions? The police do a wonderful job, and we need to maintain high morale and ensure that they do not bear a disproportionate burden of the cuts that we have to make as a result of the financial mismanagement of the Labour Government.

Mrs May: My hon. Friend makes an important point about the behaviour of the Opposition today.

On the proposal about the royal commission, the cuts we have to make and the timetable within which we have to make them means that we have to make decisions now. However, we are not just making those decisions as a Government. I set up the independent review into police pay, terms and conditions under Tom Winsor, who has produced his first report. The proposals from that report are now going through the Police Negotiating Board, and decisions will be taken by the Government once those proper processes have been gone through. At the beginning of next year, he will report on the second part of his review. I felt that it was important for the police that we ensured that an independent reviewer looked at these issues who could fully take into account the impact of all the changes.

I remind any hon. Members who are considering the royal commission proposal that in its report last summer HMIC said, in very stark terms, that there is no time for a royal commission because of the nature of the decisions that have to be taken and the speed at which they have to be taken.

Angela Smith (Penistone and Stocksbridge) (Lab): The police represent the best of public services. They work tirelessly, they sign up to no-strike agreements, and they cancel leave at a moment's notice to deal with murder or any violent crime. Do they not deserve, therefore, to be given a royal commission on pay and conditions and not to be treated as another victim of Government cuts?

Mrs May: The hon. Lady is right. We have the best police force in the world and the best model of policing in the world. I believe that the British model of policing is one that we should welcome, support and applaud. However, if she thinks that there is time for a royal commission, she should consider why, as a member of the Labour party, she allowed it, when in government, to get the finances of this country into such a state that we need to take the action that we do. *[Interruption.]* It is all very well for Opposition Members to say, "Oh no, we don't want to hear it again", but if the hon. Lady's party were in government today, it would be cutting £7 for every £8 we are cutting this year.

Gavin Barwell (Croydon Central) (Con): Last Thursday, PC Nigel Albuery was stabbed on duty on the streets of Croydon. My right hon. Friend is absolutely right that we have to look at the issue of police terms and conditions, but does she agree that we should consider the results of the Winsor review in the light of the dangers that police officers such as PC Albuery face day to day and the debt of gratitude we owe to them?

Mrs May: My hon. Friend is absolutely right; we will indeed do that. I take this opportunity to commend PC Albuery, who suffered terrible injuries, as result of which he is in a serious condition. He was doing the job that he signed up to do, which is protecting the public and dealing with criminals. I pay tribute to him and to all the other officers who, day in and day out, go out to deal with instances and incidents that take place not knowing whether they will be subject to the sort of attack to which PC Albuery was subject.

Mr Anderson: Raoul Moat began his killing spree in my constituency, a mile from my house. Twenty-four hours later, he damaged PC David Rathband to the extent that that man will never see again. Last week, at the Police Federation, he asked the Home Secretary, "Do you think I'm paid too much?", to which she replied, "I'm not saying to any individual officer that your pay is wrong." Just what is she saying to all police officers?

Mrs May: I am saying to all police officers that we value the work that they are doing, though it is important that we look at their pay terms and conditions, which have not been changed significantly for some time. We need to ensure that we have a modern, flexible work force in the police who can take us forward in the policing that we need today in the 21st century. That is why I thought it important to set up an independent review. We will look at the results of the proper processes that that independent review report is going through with the Police Negotiating Board.

I have set out a number of areas in which it is possible to make savings over and above those identified in the HMIC report in areas, such as increasing efficiency, IT, procurement, and a pay freeze. Together, these savings amount to £2.2 billion a year—more than the £2.1 billion real-terms reduction in central Government funding to the police. Even that ignores the local precept contribution from council tax payers, which independent forecasts suggest will rise by £382 million, or 12%, over the comprehensive spending review period.

Yvette Cooper: If the Home Secretary is so confident in her savings figures, why does she think that chief constables from across the country, including in Lancashire, South Yorkshire, Kent and Norfolk, are all saying that front-line services will be hit as a result of her cuts, and why are 12,000 officers going?

Mrs May: Chief constables up and down the country are giving a commitment to maintaining the quality of their front-line services. The chief constables of Gloucestershire, Kent and Thames Valley, and the Metropolitan Police Commissioner, are all saying that they have a commitment to ensuring front-line services.

Christopher Pincher (Tamworth) (Con): Is my right hon. Friend aware that the chief constable of Staffordshire has reorganised the back office of his operation and organised his local policing units to ensure that no front-line services are cut in Staffordshire? In fact, in Tamworth we have an extra bobby on the beat. That is no thanks to the Opposition, who are forcing us to make these cuts.

Mrs May: I am grateful to my hon. Friend for making that point. The chief constable of Staffordshire is another chief constable who is committed to protecting front-line and neighbourhood policing and ensuring that he does so in a way that makes sense and introduces greater efficiency in several areas. The problem with the position taken by the Opposition is that they do not want to see any change of any sort in policing, and yet there are chief constables out there who know that a transformation of policing is what is needed in the circumstances that we find ourselves in. In many cases, as has been evidenced by my hon. Friends, we may see an improvement in the service that is given to people.

Yvette Cooper: Then what does the right hon. Lady say to the chief constable of Lancashire, who says,

> "we cannot leave the frontline untouched and that is because of the scale of the cuts";

to the chief constable of South Yorkshire, who has said,

> "we will be unable to continue to provide the level of service that we do today in such areas as neighbourhood policing";

to the chief constable of Kent, who said that 20% is

> "a significant drawback into police numbers, both civilian staff and police numbers, and clearly there's a potential impact that crime will rise";

and to the chief constable of Norfolk, who says that given the scale of the cuts,

> "Her Majesty's Inspectorate of Constabulary…report confirms what we have always maintained, that…the constabulary will have to reduce its front line over the next four years"?

Her policing Minister has said that he likes chief constables who stay quiet. Does she want to gag the chief constables of Lancashire, South Yorkshire, Kent and Norfolk, or does she think they are doing a bad job?

Mrs May: A number of those chief constables, including the chief constable of Kent, have made it absolutely clear that they are going to protect neighbourhood policing. Perhaps the right hon. Lady should reflect on the evidence given by the chief constable of Greater Manchester to the Home Affairs Committee, when he said that an artificial numbers game had been necessary under the last Labour Government, with the result that some officers were being put into back-office roles that need not be undertaken by officers.

Crucially, all the savings that I have set out can be made while protecting the quality of front-line services. At the same time, as I have made clear in response to several interventions, we are reviewing police pay, terms and conditions to make them fair to police officers and to the taxpayer. If implemented, Tom Winsor's proposals to reform police pay and conditions will help the service to manage its budgets, maximise officer and staff deployment to front-line roles, and enable front-line services to be maintained and improved.

Mr Charles Walker: Will my right hon. Friend give way?

Mrs May: I am going to make a little progress.

Mr Walker: It is a microscopic intervention.

Mrs May: I will complete this point and then I might be generous to my hon. Friend.

Winsor proposes rewarding those with specialist skills, those who work unsocial hours, and those who are on the front line. His proposals are comprehensive, wide-ranging and far-reaching. They are things that the Labour party never had the guts to do. Given that the Labour party would be cutting £7 in every £8 that we are cutting this year, the shadow Home Secretary needs to tell the House where her cuts would fall.

Mr Walker: My right hon. Friend is as wise, charming and insightful as ever. However, I think that the Winsor review is a trifle too aggressive on police terms and conditions, and I hope that she will bear those concerns in mind when independently reviewing Winsor's recommendations.

Mrs May: There is indeed a process that is taking place in relation to the proposals of the Winsor review. The proposals are before the Police Negotiating Board at the moment, and there will be a proper process to consider its decisions. My hon. Friend will have noticed that the Winsor review identified significant savings that could be made by changing the terms and conditions, and then proposed to plough half that sum back into improved pay and terms and conditions for the police.

We want not only to manage the cuts that we are having to make, but to make the police service better. The Labour Government spent a lot of money on policing in the boom years, but they spent it all on making simple things very complicated. They made an industry out of performance management and league tables; created a forest of guidance, manuals and pointless paperwork; and hugely increased the number of bureaucrats, auditors and checkers. At the same time, they did nothing to increase police visibility, nothing to increase public accountability and nothing to reform and modernise the service. We are putting that right. We are slashing the bureaucracy that Labour allowed to build up.

Earlier this month, I announced measures that would save up to 2.5 million man hours of police time each year. That is on top of the measures that we have already taken to scrap all Labour's targets and restore discretion to the police. We have got rid of the policing pledge, the confidence target, the public service agreement targets, the key performance indicators and the local area agreements. We have replaced them with a single objective: to cut crime. I want police officers chasing criminals, not chasing targets. The Government do not put their trust in performance indicators, targets or regulations. We put our trust in the professionals and in the public.

Let me address the third fallacy in the Opposition motion. Police and crime commissioners are not an American-style reform; they are a very British and very democratic reform. The Labour party certainly did not consider democratic accountability to be an alien concept when the hon. Member for Gedling (Vernon Coaker) said in 2008, when he was the Minister for Policing, Crime and Security, that

> "only direct election, based on geographic constituencies, will deliver the strong connection to the public which is critical".

I could not agree more.

Vernon Coaker (Gedling) (Lab): What did we do?

Mrs May: The hon. Gentleman asks what the previous Government did. Well, they did nothing. They said they wanted democratic accountability and then did absolutely nothing about it. I say to him that if democracy is good enough for this House, it is good enough for police accountability.

Andrew Bridgen: My right hon. Friend might remember that the last Labour Government did have plans for policing reform. Indeed, they proposed that police forces should merge and spent some £12 million of taxpayers' money, only ultimately to abort the plans. Does that not show scant regard for the spending of taxpayers' money?

Mrs May: My hon. Friend makes a valid and important point about the attitude of the previous Government.

Our reforms are based on the simple premise that the police must be accountable not to civil servants in Whitehall, but to the communities that they serve. That is exactly what directly elected police and crime commissioners will achieve. The legislation for police and crime commissioners has passed through this House and has entered Committee in the other place. We will seek to overturn the recent Lords amendment when the Bill returns to this House. Unlike the existing invisible and ineffective police authorities, the commissioner will be somebody people have heard of, somebody they have voted for, somebody they can hold to account, and somebody they can vote out if they do not help the police to cut crime.

We now come to the Opposition's fourth error. It is complete and utter nonsense to suggest there will be no checks and balances on the powers of police and crime commissioners. We have specifically legislated for strong checks and balances. A police and crime panel will scrutinise the police and crime commissioner. The panel will have several key powers, including the power of veto over the police and crime commissioner's proposed local precept and over the candidate they propose for chief constable. The panel will also make recommendations on local police and crime plans, and will scrutinise the commissioner's annual report. It will have the power to ask the commissioner to provide information and to sit before it to answer questions. It will also be able to call on Her Majesty's inspectorate of constabulary for professional judgment over the police and crime commissioner's proposed decision to dismiss a chief constable.

We have published a draft protocol setting out the relationship between police and crime commissioners and chief constables. The protocol was agreed with the Association of Chief Police Officers, the Association of Police Authorities, the Association of Police Authority Chief Executives, the Met and the Metropolitan Police Authority. A copy has been placed in both House Libraries and copies are available on the Home Office website. The protocol makes it clear that commissioners will not manage police forces, and that they will not be permitted to interfere in the day-to-day work of police officers. The duty and responsibility of managing a police force will fall squarely on the shoulders of the chief constable, as it always has.

We will publish a strategic policing requirement to ensure that commissioners deliver their national policing responsibilities, as well as their local responsibilities. A strengthened HMIC will monitor forces and escalate serious concerns about force performance to Ministers. Finally, the Home Secretary will retain powers to direct police and crime commissioners and chief constables to take action in extreme circumstances, if they are failing to carry out their functions.

The Opposition are simply wrong to say that there will be no checks and balances on police and crime commissioners. There will be extensive checks and balances—the Opposition just choose to ignore them. Of course, unlike the current invisible and unaccountable police authorities, police and crime commissioners will face the strongest and most powerful check and balance there is: the ballot box. This should be a concept with which the Labour party is familiar: if they fail, they get booted out of office.

I will turn to police powers. The police national DNA database, which was established in 1995, has clearly led to a great many criminals being convicted who otherwise would not have been caught. However, in a democracy, there must be limits to any such form of police power. Storing the DNA and fingerprints of more than a million innocent people indefinitely only undermines public trust in policing. We will take innocent people off

[Mrs May]

the DNA database and put guilty people on. While the previous Government were busy stockpiling the DNA of the innocent, they did not bother to take the DNA of the guilty. In March, we gave the police new powers to take DNA from convicted criminals who are now in the community.

Rather than engaging in political posturing, we are making the right reforms for the right reasons. Our proposals will ensure that there is fairness for innocent people by removing the majority of them from the database. By increasing the number of convicted individuals on the database, we will ensure that those who have broken the law can be traced if they reoffend. In all cases, the DNA profile and fingerprints of any person arrested for a recordable offence will be subjected to a speculative search against the national databases. That means that those who have committed crimes in the past and have left their DNA or fingerprints at the scene will not escape justice. The rules will give the police the tools that they need, without putting the DNA of millions of innocent people on the database.

Like DNA, it is clear that CCTV can act as a deterrent to criminals, can help to convict the guilty, and is warmly welcomed by many communities. The Government wholeheartedly support the use of CCTV and DNA to fight crime. However, it is clearly not right that surveillance cameras are being used without proper safeguards. When or where to use CCTV are properly decisions for local areas. It is essential that such measures command public support and confidence. Our proposals for a code of practice will help to achieve just that. If the Opposition disagree, as was clear from the speech by the right hon. Member for Normanton, Pontefract and Castleford, perhaps they should cast their minds back to the controversy over the use of CCTV cameras in Birmingham in the last year. British policing relies on consent. If that is lost, we all suffer. Sadly, the Opposition do not seem to understand that.

Philip Davies: I hope I am right in sensing that my right hon. Friend is moving back from the left-wing, liberty agenda on DNA and CCTV. The police installed 14 cameras in what used to be a no-go area of east Leeds. Within 18 months, that led to crime falling by 48% and burglaries falling by 65%. Will she confirm that that did not restrict anybody's freedoms, but enhanced them by allowing people to go out at night, which is a freedom that they had been deprived of for many years?

Mrs May: I thank my hon. Friend. As I said earlier, the Government wholeheartedly support the use of CCTV and DNA in the fight against crime. We are introducing not unnecessary bureaucracy but a sensible and measured approach, which will help to ensure that CCTV is used for the purpose for which it was designed—tackling crime.

Mr Ellwood: Will my right hon. Friend say a word or two about Criminal Records Bureau checks? We had a case in Bournemouth in which a teacher from one school was not allowed to drive a minibus for another school, to which her children went, because of CRB checks. That seems a mad situation, and I hope it can be rectified.

Mrs May: I thank my hon. Friend for that point, and I will come on to vetting and barring once I have covered the issue of antisocial behaviour, because every aspect of the Opposition's motion is wrong.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): What effect does the right hon. Lady think her cuts will have on counter-terrorism, given that, as my right hon. Friend the shadow Secretary of State said, chief constables will not be able to provide 24-hour policing for such matters?

Mrs May: I remind the hon. Gentleman that we have protected the counter-terrorism policing budget, because we recognised the importance of that.

The next mistake in Labour's motion is on antisocial behaviour. We are giving the police and local practitioners a simpler and much more effective set of tools. The current alphabet soup of powers is confusing, bureaucratic and, far too often, simply not effective. The number of antisocial behaviour orders issued has fallen by more than half, and more than half of them are now breached at least once. More than 40% are breached more than once, and in fact those that are breached are now breached an average of more than four times.

We are introducing a smaller number of faster, more flexible and more effective tools that will allow practitioners to protect victims and communities. Far from making it harder for communities to get action on antisocial behaviour, we will introduce the community trigger, which will give communities the right to force agencies to take action to deal with persistent antisocial behaviour if they have failed to do so. The last shadow Home Secretary said:

> "I want to live in the kind of society that puts ASBOs behind us."

I find it rather concerning that the current shadow Home Secretary does not want to live in the same kind of society as the shadow Chancellor.

The Opposition's final mistake in the motion is on child protection, and it brings me to the point that my hon. Friend the Member for Bournemouth East (Mr Ellwood) raised. There are no loopholes in the programme that we have proposed. If by "loopholes" the Opposition mean that our scheme will no longer require 9 million people to register and be monitored by the state, they are right. We will not put nearly one in six of the entire population on to some enormous, intrusive Government database. We will not stop famous authors from reading poetry to schoolchildren. We will provide an appropriate and proportionate scheme that will give vulnerable people and children the protection that they need, while allowing those who want to volunteer to do so without fear or suspicion. That will make children's lives better, by encouraging, not discouraging, people to work with them. I am sure that many Members, like my hon. Friend, can give examples of people who have found the whole process difficult and, sadly, been put off volunteering.

Yvette Cooper: Will the Home Secretary respond specifically to the NSPCC's concern? It has raised the issue of a loophole whereby someone who has been barred from working with children can apply for a voluntary or part-time supervised job with a sports organisation or school, and that organisation will not even be told that they have been barred. Her junior Minister confirmed in the Protection of Freedoms Bill Committee that that was the case, and children's organisations, the Children's Commissioner and Labour Members are deeply concerned about that loophole. Can she confirm that it does indeed exist?

Mrs May: I am grateful to the right hon. Lady for mentioning the NSPCC, because it enables me to put the record right and quote its chief executive, Andrew Flanagan, who has said:

> "The Government's amendment is absolutely right. We welcome this wholeheartedly as it will make a huge difference to the safety of young people. We look forward to working with the Government as the new scheme is implemented."

Yvette Cooper: The right hon. Lady will know that the matter was discussed in detail in Committee, and my hon. Friends who served on the Committee were clear that that NSPCC comment referred to the changes for 16 and 17-year-olds. She rightly listened and made the changes in question. Will she also make a change in the case of someone who has been barred? It might be known that there is a problem with someone working with children, yet they will be allowed to do so again. The organisation that is supposed to be supervising them will not even be told that they have been barred from working with children. Will she look again at that matter? It is very serious.

Mrs May: The issue was discussed in Committee, and the points that were made were very clear. As she said, she is talking about a situation in which an individual will be supervised. In the past she has talked about people with part-time jobs in schools, whose activity will be regulated. The potential for barring will therefore apply. In situations in which people's activity is supervised, information will be available from the enhanced CRB check.

I accept that throughout, there has been a difference of opinion between Government Members and the Opposition. Labour wanted to put millions of people on to the database, which prevented people from volunteering to work with children and prevented authors from going into schools to read to children. Frankly, the scheme needed to be revised, and the Government are doing so.

We have a clear and comprehensive plan to cut crime. We are empowering the public, cutting bureaucracy, strengthening the fight against organised crime, providing more effective and appropriate powers and getting better value for money for the taxpayer. Those are the right reforms at the right time. In contrast, the Opposition are wrong on police numbers, the HMIC report, front-line availability, police and crime commissioners, DNA, CCTV, antisocial behaviour and child protection. They are wrong on each and every point, and that is why their motion deserves to fail.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am going to lift the time limit to seven minutes, but if Members start to intervene I will have to drop it again.

8.27 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I thank my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) for choosing this topic for today's debate. Rather than consider national matters or the headlines, I wish to discuss what is happening to the safer neighbourhood police teams in my constituency. They were introduced on the basis that there would be a team in each ward with six officers—a sergeant, two constables and three police community support officers, known as the 1-2-3 formation. They were the best innovation in my constituency in the past 20 years. They tackle not only crime levels but the fear of crime, a focus that would otherwise be missing. The lives of people in my constituency are often blighted not by actual crime but by the fear of being a victim of crime.

One of the fundamental points about safer neighbourhood teams is that they make people feel safer in their neighbourhood. People know their police officers and can just walk up to them. They are less alienated from the police and build up a level of trust in them, which makes them more likely to pass on information that they would not give to the anonymous police officer racing around in their Panda car. That change in policing was brought about not by the police or Whitehall mandarins, but by politicians—MPs who understood their constituents' needs and how best to address them. Safer neighbourhood teams are not perfect, and it was necessary to look at their hours of work and shift patterns. However, they provide increased support and confidence in the communities that I represent, and yet they are under threat, and nobody but nobody is prepared to stand up and be counted on what is actually happening.

I should therefore like the House to give me a few minutes to explain what is happening to my safer neighbourhood police teams. Fact No. 1: my local police are very clear that the current system of ward-based safer neighbourhood teams cannot continue. The *Mitcham and Morden Guardian* reported it thus: Merton police have

> "submitted a plan detailing three possible options…All three present a move away from the 'one-two-three' model used by safer neighbourhood teams in all 20 wards".

That is not just tinkering. The report continues:

> "Chief Inspector Lawrence said Option 2, which proposes nine SNTs, was the preferred option."

Indeed, every report I have seen has made it clear that Merton police want to move away from the 20 safer neighbourhood teams—one in each ward—to having just nine of the current bases. They even told me that in a face-to-face meeting.

Fact No. 2: reducing the number of teams from 20 to nine is supported by Conservatives. For instance, Richard Tracey, our local London assembly member, is reported to have "welcomed these proposals", and to have said that he had for years advocated adding flexibility to community policing. Moreover, David Simpson, a senior Merton councillor, is reported to be "relaxed" about the SNT shake-up. He added:

> "We're supportive of the nine SNT bases."

Fact No. 3: in the meeting at which Chief Superintendent Dick Wolfenden, of Merton police, went public with plans to cut safer neighbourhood teams, he cited Government cuts, saying:

[Siobhain McDonagh]

> "The future doesn't look great. By 2014 I'll be operating with 25 to 30 per cent less than I had eight months ago. My life, right now, is all about spinning plates and trying to keep the shop open...I'm fighting battles on all sorts of different fronts."

Fact No. 4: earlier this year, Merton police told the leader of Merton council that although they are officially

> "at full strength for constables and sergeants"

they have a smaller number who are

> "currently unable to perform operational"

duties.

In other words, full strength does not mean having every post filled. The police also admitted to eight PCSO vacancies and a recruitment freeze. Therefore, although there is no official policy of police cuts, the reality is that we do not have the officers that we should have.

The Met's website states:

> "Safer Neighbourhoods teams usually consist of one sergeant, two constables and three police community support officers."

However, according to Merton police's website, currently—as of today—fewer than half their safer neighbourhood teams have a full complement of officers. Therefore, the police's claim that the 1-2-3 system is "usual" seems at least a little exaggerated.

Officers have spoken of being moved to other teams or being given other responsibilities. Individual police officers have written e-mails about "permanent reductions" rather than vacancies "for the foreseeable future". They have said that as far as they are concerned, each ward will have just one PC, which brings me to my next fact.

Fact No. 5: according to the minutes of my safer neighbourhoods panels, which are produced by the police, there has already been a safer neighbourhoods "team merger" between Pollards Hill and Longthornton. They have even held joint panel meetings, and for several months, only one sergeant covered both wards, which is exactly what one would expect if we were to go from having 20 to nine teams. It is almost as if the police were trialling their new system even before they had been allowed to replace the old one.

As a result, there has been local furore and a lot of media interest. Assistant Commissioner Ian McPherson even had to appear on BBC London's TV news to deny everything. I wrote to him the next day to reiterate that the merger had taken place and to invite him to come to Mitcham to see for himself that residents really were telling the truth. Unfortunately, he did not reply for nearly eight weeks, and when he did he could not bring himself even to refer to the merger, let alone to deny it. It therefore must be a coincidence that the police announced earlier this month that Longthornton would have its own sergeant after all—a small victory, and perhaps one for the big society, because it shows what communities can do when they try to overturn bad decisions.

Hon. Members might think that getting a post filled is a victory, but my next fact is even more disturbing. Fact No. 6: the police have always said that SNTs are based only in their wards, but a huge number of measures have meant that the teams have been reduced and taken away from their wards. I cannot go into those details because of time, although I would dearly love to—I will write to the Home Secretary.

Policing is fundamental to my constituents and those of other hon. Members. We must tell the truth about what is happening to police on the ground.

8.35 pm

David T. C. Davies (Monmouth) (Con): May I begin, as I often do, by declaring an interest as a special constable with the British Transport police? A few people might wonder why I do that job. When I was on the Home Affairs Committee, I justified it by saying that I have always felt deeply about policing—that is the reality. That is one of things that brought me into politics. I felt even more deeply about the matter when I became the victim of a burglary myself. I can tell the Home Secretary the effect it can have on a family, particularly when one of the partners is often away from home and young children are involved, to know that someone has been walking around their house with a knife in their hand

In many ways, I am sorry to have to make this speech—it is not even a very well-prepared one—but I have to tell the Home Secretary that I am deeply concerned about some of the directions we are taking. I have a view that might be unfashionable, which is that burglars, rapists, murderers, people who commit acts of violence of any sort and people who sell drugs—there is a family in Monmouthshire selling ketamine to young children in school—need to be taken off the streets and sent to prison. They should not be released early from their prison sentences, and they do not deserve 50% off their sentences, which is why for the first time ever, I think, I was unable to follow the Home Secretary into the Lobby earlier tonight. I regret that very much, but, I will not be part of any Government who want to let people out of prison. I do not think the Labour party did a good job on law and order, but when I hear colleagues say that it banged up more people than we will, I start to question what I am doing here.

Home Secretary, I will find it much easier to follow you into the Lobby tonight, because the Opposition have tabled a motion based on money, and we all know that, frankly, you are in a no-win situation. Labour Members did what they always do—they taxed and spent, they borrowed and they spent, they printed money and left us all with a £1 trillion debt.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Will the hon. Gentleman address the House through the Chair, rather than the Home Secretary?

David T. C. Davies: I apologise, Mr Deputy Speaker.

I was saying that I have no problem in following the Government into the Lobby on this motion, because it is about money. I understand full well that cuts have to be made, because we do not have the money and because basic economics means that we cannot live off other people's money for ever.

There is much we could be doing to support the police. Morale in the police is very low. We could be doing a lot about bureaucracy. That has been said for years—of course it has—but I can give specific examples. Officers spend 10 or 15 minutes filling out a stop-and-search form for each person they stop and search. They cannot stop and search the right people because code A relating to section 2 of the Police and Criminal Evidence Act 1984 prevents them from searching somebody who has committed an offence that is probably non-arrestable when the police do not have direct evidence or anything on them at that moment. For example, at Liverpool Street station, I once stopped a beggar who had a long criminal record for carrying knives and drugs. I wanted to give him a quick frisk—not an invasive strip search, but a frisk—but I could not because although he had 20 or so convictions, I had no evidence that he had drugs on him at that particular moment. Give the police the tools to do the job, and they will do it well.

Public order police officers have one of the hardest jobs going. One minute they are told that they should not kettle people because it is against their human rights, but the next they are told, "There's been a riot, the Conservative party's offices have been invaded. We want robust policing next time." The next time there is robust policing, but then there are more complaints about it from Members on both sides of the House who have never had to stand, outnumbered 10:1, in front of a load of rioting people and had to try to work out which rioters are passing the iron bars, which are throwing them and so on. There is no way that the police can turn round and run because they are in uniform. It is a very difficult and dangerous job, and if they do not always get it right, it is not altogether surprising.

There are things we could be doing to support the special constabulary to make much better use of it, such as employer-supported policing, which I have spoken to the Home Secretary about before. Quite frankly, however, if it comes down to money, there is a difference between me and Opposition Members. I would like more money put into the police force and the Prison Service so that we can look after our people properly. The first priority of any Government should be the defence of the realm and the rule of law. Where I differ from Opposition Members, however, is that I would say to the Home Secretary—even though it is not her decision—that I cannot understand why we are pouring into the third world money that is being spent on Mercedes Benz by dodgy dictators in Africa, while having to cut funding to the police and prison services here, resulting in our people being not as safe as they ought to be.

Let us be honest about this. If we are going to reduce funding to the police force, there will be a cut in service. There is no point trying to pretend otherwise, no matter what reforms we make. I offer the Home Secretary a serious suggestion. I have noticed that on many occasions the police have to waste a lot of money providing translation facilities for people who claim not to speak English. I have actually arrested people who were able to tell me in perfect English that they were not responsible for whatever they were doing—usually bag thefts and such things. They have an amazing level of English, but take them back to the police station and suddenly it has all gone and a translator has to be found at £50 an hour—and no doubt the translator follows them all the way through the court process as well. On rare and happy occasions, these people actually go to prison. When that happens, though, we have to spend money housing in our prisons people who are often illegal immigrants—that involves a certain expense, although not as much as the figures often quoted suggest—and afterwards we have to spend money trying to deport them if their countries will take them.

The Home Secretary should take some of the money that is meant for the third world in the third world, and use it on people from the third world who are over here breaking the law—not all of them are, of course, but some of them do. *[Interruption.]* Yes, I appreciate that I quite often put my arguments across in a clumsy fashion—although from what I have seen, that is no barrier to high office in this place—but I have one priority in mind: the safety of our people.

The other day I was talking to somebody who was brought up in a mining village—I can tell the Home Secretary who it was afterwards. That person was a Conservative party agent—a true working-class Conservative of the sort who put in people such as Margaret Thatcher and John Major. She was not just a member of the Conservative party, but someone who went out and campaigned, and had been an area chairman. However, she has now left the Conservative party because she feels that we have abandoned people such as her on issues such as crime and immigration. I have the utmost respect for the Home Secretary—far more, in fact, than for many other members of the Cabinet—and I will happily follow her through the Lobby this evening. However, I very much hope that working-class Tory voters—and perhaps even working-class Labour voters—will be voting Conservative at the next election, and will not feel let down and betrayed. I have canvassed many houses in my lifetime and met many people who said that they would vote Conservative. Not one of them has ever said to me, "I'm voting Conservative because I want you to let more people out of prison." Let this not be the message from the Conservative party if we ever want to win an election again.

8.41 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Let me start by saying how offensive I found some of the remarks that the hon. Member for Monmouth (David T. C. Davies) made. *[Interruption.]* I will leave it at that.

Let me say how important policing, and crime reduction and prevention are in my constituency, as they are in many others, as we have heard. As we have also heard, the British crime survey showed that during Labour's Administration, helped by record numbers of police, crime fell by 43% to a 30-year low. Violent crime fell by 42% and burglary by 59%. The risk of being a victim of crime was the lowest since 1981, when the BCS began. Under Labour, there were record numbers of police—nearly 17,000—and more than 16,000 police community support officers.

This Government's public spending cuts have meant that every police force in England and Wales faces a 7.5% real-terms cut this year and an 8.7% cut in 2012-13. That means that in the run-up to the Olympics, when there will be pressures on all forces, and when the Home Secretary says that there is an ongoing terror threat, forces will face a 15% cut in the next two years. By 2014, that figure will have risen to 20%. Contrary to what she said earlier about Chief Constable Fahy's comments to the Select Committee on Home Affairs, let me point out that he said that £76.6 million would be cut in total over the next two years, and that because 86% of the budget is spent on the work force, that equates to—these are the figures that he quoted—nearly 1,400 police officers and 1,600 civilian staff posts being lost.

Claire Perry: I am enjoying the hon. Lady's use of statistics, but I implore Members on both sides of the House—and we have a lot of intelligent people here this

[Claire Perry]

evening—to get away from this fetish about the numbers of police, and instead talk about the results. We all knew that we would have to make cuts; let us talk about where those cuts should fall and what the rights numbers are to guarantee safety.

Debbie Abrahams: I am happy to come to that, but it is important to set out the statistics that I have just given, which show that there has been a cut from a level that enabled the police force to work effectively.

We have also heard about the recruitment freezes, and about some police forces using the legal loophole in the police pensions regulations forcibly to retire police officers with over 30 years' experience; they are some of our most experienced officers. Another issue is the Government's fixation with what they call front-line or visible policing. We must not forget the important role that specialist units play in domestic violence and child protection cases. They are important areas that also need to be valued.

What most people cannot understand, however, is why, at the same time as putting communities at risk with cuts to the police force, the Government are proposing to spend more than £100 million on 42 elected police commissioners. That is the equivalent of 600 full-time posts. It just does not make sense.

In last year's manifesto, Labour made a commitment to maintaining the then police staffing levels, with a three-year assured programme of investment. We were going to make tough choices elsewhere, in procurement, IT and overtime.

Richard Fuller (Bedford) (Con): I am terribly sorry to interrupt the hon. Lady, because we are about to hear where exactly she would make cuts. We all look forward to that. She speaks assuredly about the number of police officers under the last Labour Government, but many of my constituents tell me that they never saw a police officer on their streets during that time. How many more police officers would she offer, in order to give assurance to my constituents?

Debbie Abrahams: I am talking about the situation that we have now, with the hon. Gentleman's Government in power. I had thousands of petitions presented to me during the by-election specifically on the subject of cuts in police numbers. I must also remind him that the Deputy Prime Minister promised to increase police numbers.

The effects of the cuts have already been noted by the Conservative chair of the Association of Police Authorities, who said that they would ultimately put at risk progress in reducing crime. In my constituency, the Oldham division of the Greater Manchester police has expressed concern not only about the direct effects of the cuts on police spending but about the cuts to the local authority budget and the abolition of area-based grants, all of which will have significant effects. The partnership working between the police, the local authority and the voluntary sector has had immense benefits for crime prevention and community safety—for example, in target-hardening measures such as alley-gating. There is strong evidence that such measures have a significant benefit for vulnerable properties. Other measures that have brought benefits include youth programmes and offender management.

I have been contacted by nearly 50 local police officers living in my constituency. Not only are they fearful for their jobs but the recent Winsor review and Hutton report will have significant implications for their terms and conditions and for their pensions. Sergeant David Donlan asked me:

> "How many people have to go to work in body armour, routinely putting their lives at risk to protect our communities, and yet have imposed on them where they can live, who they can associate with or even marry? We can't join a union, let alone strike."

I am committed to working closely with the police on reform, but I think that the Government have mishandled this review process and treated police officers poorly. The Home Secretary pre-empted the final report and has attempted to paint the police as inefficient and not interested in reform. I urge her to reconsider the question of the royal commission. The discussions that I have had with local police officers make it clear that they want to see modernisation, but it must be fair. I know that we will be debating pensions soon, but the point for this debate is that, in addition to major changes in terms and conditions and cuts to the work force, the changes to their pensions are yet another hit for the police.

My final point concerns the long-term consequences of the Government's cuts. In addition to the short and medium-term impacts on crime, I am worried about the long-term effects that these ideologically driven cuts will have on the social fabric of our society. Last week, we heard how pay disparities between the UK's highest and lowest paid workers were taking us back to Victorian times. There is strong evidence that the increase in socio-economic inequalities will not only result in widening differences in life expectancy between the rich and poor but be associated with higher levels of crime and disaffection. The trust that underpins community cohesion and positive relationships in a multicultural society is once again being eroded by a Tory Government who are determined to drive their disastrous cuts through.

8.49 pm

Tom Brake (Carshalton and Wallington) (LD): I have been a Member of the House since 1997, and I still naively expect this Chamber to be a place of rational debate. However, there has certainly been no evidence of that from the Labour Front-Bench contributions today, either during the previous debate on sentencing or during this one on policing. There is no recognition of their share of the responsibility for the significant cuts that the coalition is having to make. They are tougher than we had expected because the finances we inherited were deteriorating faster and the international climate was tougher for countries that were not tackling their deficits.

There is no willingness from Labour to demonstrate how the £7 of savings it was going to make, as opposed to the £8 that the coalition is having to make, would safeguard police numbers. Indeed, Labour Members are not even listening to their own party leader, who said in his speech to the Progress conference on 21 May:

> "There will be those who say it is enough for Labour to hunker down… I hear it quite a lot: let's be a louder… Opposition",

but he then went on to say:

> "But to think that it is enough is to fail to understand the depth of the loss of trust in us and the scale of change required to win it back. We must recognise where we didn't get things right".

Their leader is asking Labour Members to adopt a more honest and considered approach, but they do not listen to their leader, as we found out during the AV campaign when he said, "I'm right behind it" and half of them walked off in the opposite direction.

It was the Opposition's choice not to have a debate about what is achievable from an efficiency savings point of view and what is achievable in police numbers. We heard in an intervention that police numbers in Staffordshire had been maintained.

Dr Julian Huppert (Cambridge) (LD): I met the chief constable of Cambridgeshire constabulary this morning and he told me that the budget can be managed so that there will be no reduction in police constables at all, and perhaps even a small increase. It is being done by greater efficiency and by greater collaboration with other forces. Will my hon. Friend suggest that other police authorities follow that excellent lead?

Tom Brake: Indeed, and I thank my hon. Friend for his intervention. Clearly, a number of forces around the country are adopting approaches or policies to ensure that police numbers are maintained. Another good example is Cleveland, where by working with Steria the force has been successful in achieving savings of £50 million over a 10-year period; it has been able to achieve 20% reductions in the areas on which they are working by focusing on cutting bureaucracy, increasing mobile access to make the police more effective when they are out in the field, and improving case file preparation, which no doubt leads to more successful prosecutions. When the will is there, much is achievable in making greater efficiency savings and focusing on police numbers. The Government are right to tackle the issue of police terms and conditions. It has been on the agenda for many years, but has never been tackled. It was time for the Government to grasp that particular nettle and progress is now being made.

It was also the Opposition's choice not to debate one of the most effective ways of tackling crime, which is by cutting reoffending. Community sentences were mentioned in the earlier debate. With community sentences, 51% of people reoffend as opposed to the 59% who reoffend after being given a prison sentence. These are comparable groups of offenders: in one case, with a community sentence properly enforced, there is only a 51% reoffending rate; when a similar group of prisoners are sent to prison for one year or less, 59% reoffend.

David T. C. Davies: Is the hon. Member aware that that report also showed that anyone sentenced to more than 12 months in prison had the lowest reoffending rate of all? Is not the lesson we should draw that long prison sentences are more effective than anything else?

Tom Brake: I thank the hon. Gentleman for his intervention. I am drawing on one part of the report; he is drawing on another. It is very clear that community sentences, for people who would otherwise have been given a short prison sentence, actually reduce reoffending. That means fewer victims. Surely, if we are having a rational debate, that must be a matter of interest to all Members.

For community sentences to be effective, I underline the importance, as stressed to me by User Voice, of ensuring that rehabilitation is retained within the community sentence scheme. In its view, those sentences are more effective than prison sentences because the rehabilitation component is there. I hope that that will remain part of the community sentences that are going to be issued.

Work in prison is also important. It is effective in tackling reoffending because it gives prisoners skills that they can use, as well as providing—according to the Howard League, which published a report today—something like £17 million that can go into the victims fund. I am sure that everyone would welcome that as well.

Volunteering in prison is potentially just as effective in reducing reoffending as work in prison. Last week the Prison Reform Trust launched a very successful scheme at High Down prison drawing on the skills of listeners, and I am certain that the reoffending rate among former prisoners who have participated in it will be less than that among those who have not.

The Opposition did not, of course, choose to call a debate about the most cost-effective ways of solving crimes. Today I was fortunate enough to visit Crimestoppers, which happens to be based in my constituency. What it is achieving at a cost of £4.5 million has been valued at £120 million. Last year it helped to solve 50 murders. It favours payment by results, because it believes that it has a very successful model. By using the public as a resource, it is able to bring cases to court much more quickly than it could have done had it followed the normal court and police processes.

The Government have set out in a concrete and substantive way what we believe will be effective in tackling crime and what we believe is necessary to deal with inefficiencies in, for example, the back office. I feel that it was incumbent on the Labour Members who tabled a debate on this subject to set out what their alternative would have been, but I am afraid that that has been totally lacking this evening.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. If I am to be able to call all the Members who wish to speak, I shall have to reduce the speaking times to seven minutes.

8.57 pm

Alun Michael (Cardiff South and Penarth) (Lab/Co-op): Let me begin by declaring, as I do at meetings of the Home Affairs Committee, that my son is the chief executive of North Wales police authority.

The debate raises some really big issues: how we can make policing effective, how we can increase professionalism, and how we can tackle new challenges such as internet-related crime, which continues to grow.

Mr Ellwood: On a point of order, Mr Deputy Speaker. I wonder whether the clock could be adjusted.

Mr Deputy Speaker: I thank the hon. Gentleman for his point of order. The debate is now under way again.

Alun Michael: Further issues arise from cuts that are too deep and too sudden, and, in the case of the police, made even more painful by being front-ended. We also face an upheaval as the Government press on with their plan to establish police and crime commissioners for each force in England and Wales—apart from that in London, which strikes me as an odd omission.

[Alun Michael]

If the Government are truly confident that theirs is the right approach, they would have been well advised to pilot the idea, because the devil will be in the detail of relationships. The wholesale implementation of the Government's proposals in 41 forces at a time of massive cuts, wholesale retirements and the serious demoralisation that arises from pension changes can only be described as truly courageous.

I do not want to become bogged down in numbers, but newer Government Members may be unaware of the disastrous record of the last Conservative Government and the way in which the ground was recovered during the subsequent years of Labour administration. It is vital that the Government and the commissioners—if the other place allows their introduction—fully understand the importance of a partnership approach to cutting crime. When Robert Peel set up the first police force, he stated clearly that cutting crime and preventing offending was the key role of the police. I am pleased to acknowledge that both the Minister for Policing and Criminal Justice and the Home Secretary underlined those words when they appeared before the Home Affairs Committee. That belief, however, needs to be supported in practice and in substance, through partnerships linked to a clear and objective analysis of why, when and where crime happens.

I am also pleased that the crime reduction partnerships which I introduced in the Crime and Disorder Act 1998 are to continue, with some new titles and rebranding. That is fine: refreshing the model is an entirely appropriate move by Ministers in a new Government. However, this Government need to make sure that they build on the cuts in crime achieved under the last Labour Government and squeeze out the further gains in crime reduction that are there to be made. That requires a clinical approach and an engineering approach to crime. My favourite example in that regard is the violence reduction strategy in Cardiff, led, as it happens, by a medic—Professor Jonathan Shepherd—which has resulted in a cut of now well over 40% in the number of victims, as measured not by arrests or reports to the police but by the reduction in the number of people needing treatment at an accident and emergency unit following a violent incident. Such results do not happen by accident. Intelligent analysis, partnership and ambition are what drove that improvement, and we need that approach everywhere. The result is savings to courts, to prisons and to the NHS. There are therefore benefits for all those who are part of a partnership approach.

My second example relates to youth crime. The numbers in residential detention have come down as the youth offending teams have focused on the challenge of cutting youth crime. Police are involved in what is an inter-agency approach. Again, I have no objection to that approach being renewed and refreshed, but I urge Ministers not to abandon a strategy that is working. We need police engagement in the work of reducing youth crime, rather than having them always chasing after the offenders.

My third example is about police community support officers. I commend the Welsh Assembly Government who have just come to office for putting in place additional PCSOs to support the work of the police in Wales. That is essential for truly effective policing because we must connect with local communities if we are to be successful.

My final example is to do with internet-related crime. This is a growth area, but the police will never have the resources to keep on chasing around the whole of the internet. The work of the Internet Watch Foundation and the Child Exploitation and Online Protection Centre show what can be done. They have succeeded in tackling child abuse over the last few years. It is important that business too is linked in and works in partnership on internet-related crime. I commend to Ministers the example of e-Crime Wales, driven by a partnership between the Welsh Assembly Government and the police in Wales.

We need the police to do all the heavy lifting of detective work, making arrests, being visible, engaging the public and policing our town and city centres. The Minister is well aware of the challenges that our success in building up Cardiff as a real capital has presented to the police in policing successive activities, but as the Justice Committee report on justice reinvestment showed, most of the services and resources that make a difference in cutting crime, and therefore in protecting victims, are outside the criminal justice system. Partnership is therefore not just an extra; it is not an option that can be dropped if time is short and the pressure is on. It is crucial and central to enabling the police to be successful in their work, and I hope Ministers will encourage the continuation and growth of partnership working.

9.3 pm

Philip Davies (Shipley) (Con): I want to talk predominantly about closed circuit television and DNA, because I still feel that, despite the Home Secretary's best efforts, the Government are going in the wrong direction on these issues. I want to make it clear that I am not talking about what I believe to be the misuse of CCTV, such as for local authorities to snoop on what people put in their bins; I am talking about the use of CCTV for the detection of crime.

A Scotland Yard study of the effectiveness of surveillance cameras revealed that almost every Scotland Yard murder inquiry uses their footage as evidence. In 90 murder cases over a one-year period, CCTV was used in 86 investigations. Officers said it helped to solve 65 cases by capturing the murder itself on film, or tracking the movements of the suspects before or after an attack. The recent case in my constituency of the "crossbow cannibal", who was convicted of murdering three prostitutes and dumping their bodies in the river, provides a good example, as he was caught only because there was CCTV in the block of flats where he was committing his crimes.

CCTV evidence is not only a valuable tool for the police. It is invaluable in courts on two levels: to convict the perpetrators of crimes, and to acquit those who have not committed a crime. CCTV footage provides conclusive and unbiased evidence, devoid of anyone's spin or recollection bias, which not only saves courts' time and money, but prevents witnesses from having to go through the often stressful and unpleasant ordeal of giving evidence in court. Equally, CCTV can prove that someone is being wrongly accused of committing a crime, as was the case with Edmond Taylor. His conviction for dangerous driving was quashed on appeal when CCTV footage showed that a white man had actually committed the offence—Mr Taylor is black.

Another useful tool that we should be promoting is automatic number plate recognition. It was through the use of ANPR, and that alone, that PC Sharon Beshenivsky's killers were caught. On 18 November 2005, Sharon Beshenivsky was shot and killed during a robbery in Bradford. The CCTV network was linked into an ANPR system and was able to identify the getaway car and track its movements, leading to the arrest of six suspects. The chief superintendant of West Yorkshire police called the ANPR system a

> "revolutionary tool in detecting crime."

When a 2005 Home Office report on public attitudes towards CCTV asked what people thought of the statement "Overall the advantages of CCTV outweigh the disadvantages", 82% of those surveyed either agreed or strongly agreed.

People use "civil liberties" as an argument to support the case for reducing such technology. What I fail to understand is how footage of someone taken by CCTV cameras on a public street in the public domain invades their privacy or civil liberties. If someone has chosen to walk down the street, people can see them doing it whether they are recording it on a phone, observing what they are doing or watching it through a CCTV camera. Those actions are clearly not private.

These civil liberties arguments seem to be used against the DNA database too. I believe in real freedoms, and the fact that someone's DNA is on a database does not prevent that person from going about their daily lawful business and it does not impinge on their freedoms in any way whatsoever. During the application for judicial review of the retention of DNA in the divisional court, the now Lord Justice Leveson stated that

> "the material stored says nothing about the physical makeup, characteristics or life of the person to whom they belong."

These civil liberties arguments about DNA and CCTV are bogus.

As a result of the Government's proposals, murderers such as Ronald Castree would be free to roam the streets and potentially kill again. Castree stabbed 11-year-old Lesley Molseed in 1975 when she was on the way to the shop to buy bread for her mother. Stefan Kiszko was wrongly convicted and was jailed for 16 years for the murder until 2005 when Castree's DNA was taken after he was arrested but not charged over another sexual attack.

It is a fact that many violent criminals have been jailed only because their DNA was taken when they committed a minor offence. These criminals include Dennis Fitzgerald, who was sentenced to eight years' imprisonment for the rape of a woman in November 1987, and Nasser Mohammed who was jailed in 2008 for raping a woman in 2002 after his DNA was taken when he was picked up for a minor offence. Often, a DNA match is the only thing that finally brings people to justice.

Figures from the National Policing Improvement Agency state that in 2008-09, 32,209 crimes were detected in which a DNA match was available or played a part, and the latest annual report on the national DNA database concluded that six in 10 crime scene profiles loaded up to the database were matched to a subject profile. In addition, 147,852 crime scene sample profiles could be solved if we had a national DNA database—these are instances where a sample has been taken at the crime scene but there is, as yet, no match.

The DNA database can also be used to acquit the innocent. The very first murder conviction using DNA evidence, in 1988, proved the innocence of a suspect. Richard Buckland was suspected of separately assaulting and murdering two schoolgirls in 1983 and 1986, but when his DNA sample was compared with DNA found on the bodies of the two victims it proved that he was not the killer. Colin Pitchfork was later arrested, having been one of the villagers who had their DNA taken and a match was found.

Unless the Government change their stance on DNA and CCTV, they will be doing a huge disservice to people in this country. Their approach will lead to more unnecessary victims of crime and will further tarnish our reputation in the field of law and order.

9.9 pm

Yasmin Qureshi (Bolton South East) (Lab): The debate is on policing, but I shall touch on the economics of the situation, which are raised so often by Government Members. The Opposition are not in denial about the deficit, but we do not accept that we caused it—*[Interruption.]* Members on the Government Benches can snigger and laugh, but they could say that we caused the deficit only if no other country with a similar economy had had the same problems. All those countries had the same problem with their economic and banking systems because of the recklessness of the bankers, the sub-prime mortgages and the fact that some banks had balances that were bigger than the GDPs of many countries. They were reckless. We saved our system and as a result we managed to save half a million people becoming unemployed.

Tom Brake: Will the hon. Lady give way?

Yasmin Qureshi: I will give away on another point, not on this one.

We recognise that there are financial difficulties, but we must ask what we will achieve when we save money. We must ask whether if we save £10 in one area, we will end up paying £20. That will happen with the police cuts and the changes to the police more than with the changes to any other service. Staff numbers might be cut in the Department for Work and Pensions without repercussions elsewhere, but when front-line police officer numbers are cut that is a false economy.

There has been discussion in the House about imprisonment and long-term sentences and, in some cases, long sentences deter people from committing offences. What really stops people committing offences, however, is the fear of being caught, being prosecuted, being convicted, going to prison and having their liberties taken away. When somebody sees a police officer on the street, they will not commit a crime. When they know that there are a number of police officers in a particular area, they will not commit a crime. We will save the money that is spent when someone is arrested on prosecuting them, on lawyers' fees, on our prison services, on prison officers, on probation officers and on all the different agencies that work in the criminal justice system. Of course, let us not forget the poor victim who suffers as a result of the criminal offence. If we put together the cost of all that, we must ask whether it is worth making that £10 saving when we will end up spending £30 to deal with the problem that the saving causes.

[Yasmin Qureshi]

I urge the Government seriously to consider how cuts should be made in a Department such as the Home Office, given that we will have more problems in the long term. I know that the hon. Member for Devizes (Claire Perry) said that we must not blind the House with statistics, but everybody always bandies statistics about and it is right to emphasise what my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) said about the fact that crime, including violent crime and crimes against properties, fell considerably during the 13 years of Labour government. That did not happen miraculously—the Labour Government invested in the police, spent money on community support officers and gave more money for fingerprint analysis, DNA evidence and technical support. The combination of those things caused the crime rate to fall. Government Members can tell us not to quote statistics, but that is the truth: crime fell under Labour and it fell for the reasons I have given.

It is not just me who says that crime will rise. The chief constables of South Yorkshire and Lancashire have said that that will happen if the numbers of front-line police officers are cut. It is inevitable—it is common sense—that more crimes will occur if police numbers are cut, so I urge the Government to reconsider this false economic measure.

9.14 pm

Paul Maynard (Blackpool North and Cleveleys) (Con): One of my regular Sunday penances, more fool me, is to read *The Observer*. I do that neither for the quality of its journalism nor for the need to read Will Hutton's economic "wisdom", but because I am keen to get my head around what the Opposition are thinking so that I can better understand why they say the crazy things they say. This weekend's edition was particularly interesting: it printed a column in which it bemoaned the death of political discourse because of the quality of the Opposition's response to what happened last week over the Justice Secretary's comments. Nothing that I have heard today in the two debates I have sat through has given me any cause to decide that the quality of political discourse in the Chamber is improving. With a few honourable exceptions on both sides of the House it has been profoundly dispiriting.

Far more spiriting was my experience of attending the civic Sunday service yesterday in Poulton-le-Fylde for the new mayor of Wyre. Next to me on the pew sat the divisional commander of the northern section of Lancashire constabulary, whom I see occasionally at the odd event and who has also been a senior policeman in the adjacent Blackpool area. We had a fascinating discussion about some of the policing challenges he faces such as the role of domestic violence, with some 36% of violent crime within the northern division occurring within a family dwelling. We had a good-natured debate about the need for, or his arguments in favour of, minimum pricing for alcohol. Our discussion brought home to me a point that the right hon. Member for Cardiff South and Penarth (Alun Michael) was trying to make earlier—that partnership working is a good thing. We have very senior policemen who have a very good understanding of the social problems in the communities they seek to serve.

I have had another spiriting encounter recently—at one of my street surgeries on the day before that service. As I stood on the street corner under my Conservative umbrella in the pouring rain on the Fylde coast, a local resident and I discussed long-term antisocial behaviour. I tried to persuade that house owner, who was an elderly gentleman, that it was worth reporting a crime to the police, that he should not just assume that he would be ignored and that he needed to have a bit more confidence in the police. That encounter brought home to me once again the fact that there is a fundamental disconnect. We can have as many PACT—police and community together—meetings as we like, but they do not achieve much if they are not attended. We can have as many well-paid members of police authorities as we like—promoting themselves all of a sudden to make sure they have a future—but if people do not know who they are and do not see the role they play, as people have not recently, then they are not the ones to reconnect with ordinary people. That is why I strongly support the decision to introduce police commissioners.

I speak as a Member of Parliament who is fortunate, as I mentioned to the shadow Home Secretary earlier. I know that the chief constable of Lancashire has an awful lot to say for himself but he has some excellent divisional commanders who have been working on trying to accommodate the budgetary changes in Lancashire. In Blackpool, the police have been able to increase the number of neighbourhood policemen on the beat or, to use that wonderful phrase that the Opposition love so much, on the front line. My constituents will benefit from that and I welcome it. More importantly, I welcome the shadow Home Secretary's pledge, if I heard her correctly, to maintain police numbers as they are. I am so grateful to her for writing all of my election leaflets between now and the general election. When I get my *Hansard* tomorrow I will be able to say quite confidently that Labour would cut policing in Blackpool because they would take it back to where it was before we had the improvements in neighbourhood policing.

My main concern, which I would like to raise in the final minute, is that last year Lancashire police's total external income was £310 million, less than for 2010-11, but still £2 million more than for 2009-10. However, more than 30% of the increase in the police authority's council tax precept has gone not on front-line policing, but rather on plugging the growing gap in police pensions. I know that there is much concern in all parts of the House about changes to police terms and conditions, but it is important to look at the matter, as the Home Secretary has said, from the point of view of fairness to taxpayers as well.

By 2011 the subsidy from the taxpayer to plug the gap in Lancashire police authority's pension scheme had risen to £23 million, up from £13 million just three years ago. I firmly believe that the police should get a fair pension and a fair deal, but taxpayers also deserve a degree of fairness. The systemic underperformance of police pension funds must be resolved because the burden falls, in the end, on all of us.

9.20 pm

Jack Dromey (Birmingham, Erdington) (Lab): The Home Secretary was good enough to meet six police officers from the west midlands—six outstanding officers whom I know well. They included Tim Kennedy, described by one of his colleagues as one of the most brilliant forensic detectives anywhere in Britain, with an outstanding track record of detection; Sergeant Dave Hewitt, an outstanding community police sergeant, with a team of police officers with a first-class track record of keeping their community safe; and Detective Constable Tony Fisher, a man who specialises in the detection of serious crime, ranging from detecting the individual who was robbing pensioners at knifepoint at cash points and putting him away for 13 years, to the action that he took to track down somebody who was responsible for leading a gang carrying out robberies with a machete, putting him away for 17 years.

There was also Martin Heard, a police constable and an outstanding community police officer in Wolverhampton. As his community said on ITV only last week, "He was always there for us when we needed him. Now there's no one there in his place." He was forced out as one of the A19 officers. To add insult to injury, he then received a letter asking, "Do you want to come back as an unpaid special constable?"

Even in some of the most sensitive areas of policing, we are seeing cuts. In the west midlands 16 counter-terrorism officers are being forced out under regulation A19—nine constables, three sergeants, two inspectors and a superintendent. This is madness. It is the abrogation by Government of their first duty, which is to ensure the safety and security of our communities, and it is utterly indefensible, yet the Government seek to mount two defences.

The first defence is the "Not me, guv" defence that blames the police. The Home Secretary cuts the police, then blames the police for the cuts, in circumstances where, by the scale and speed of the cuts that she has offered up to the Chancellor, she leaves chief constables in an impossible position. The second defence is the assertion that there are only 11% of police on the front line at any one time. That simplistic nonsense fails to understand the nature of modern policing.

Inspector Mark Stokes, one of the police officers whom the Home Secretary met, is an expert in designing out crime. At the 4 Towers estate, crime fell by 98% as a consequence of his work on the front line, but also in the middle office. Typically, the great bulk of the work to detect individuals guilty of domestic violence is done by way of a multi-agency approach, the multi-agency risk assessment conference, not on the front line, and it is devastatingly effective in protecting women against assault.

Offender managers work through the multi-agency public protection arrangements, managing offenders on the basis of risk—sex offenders, for example, such as the case in the west midlands of an individual who had served 28 months in prison because he had assaulted young children. He came out, applied to become a referee, became a referee, and was detected as a consequence not of detailed work on the front line, but of intelligence work that discovered what was happening, moved against him and raised the matter with the Football Association, leading to a sex offender order and that individual no longer having any access to young children. I could go on. So much of the work of intelligence and surveillance officers, for example, is not done on the front line, but it is absolutely key to successful policing.

What we are seeing is a devastating reversal of the progress made over the past 13 years. What we saw over those years was on the one hand our police learning the painful lessons from the mistakes of history, and on the other hand massive investment by a Labour Government, leading to 17,000 more police officers, 16,000 police community support officers, a 43% fall in crime and a model of community policing that is held in high regard worldwide and valued by our communities. Now in the west midlands we are seeing crime rising: 2,200 more vehicle crimes, 2,500 more burglaries and robbery up by 25%.

In conclusion, the Home Secretary spoke earlier about policing by consent, and I agree with her, but there is no consent in my constituency for what she is doing. There is dismay because no politician now on the Government Benches went to the people last May and said, "Vote for me and I will cut the police." There is dismay because 2,400 will go from the West Midlands police service, and because those brave men and women with 30 years' service, some of them 48 or 49 years old, are being forced out just when the community needs them most. The Home Secretary must realise that the Government have got it wrong and that they have to think again.

9.27 pm

Mr Tobias Ellwood (Bournemouth East) (Con): This has been an illuminating and important debate for understanding the policy differences between the coalition Government and the Labour party. I would like to make a few observations, but first I will do as other Members have done and pay tribute to the work of the police, both nationally and in my constituency. They serve our communities well and occasionally put themselves in harm's way, and we must never forget the demanding environment in which they work. That said, reform is long overdue.

I am pleased that the coalition Government are finally grasping the nettle and looking at restructuring, saving police officers' time, simplifying how crime is recorded and freeing officers to focus on cutting crime. That is in contrast to Labour's approach, which can be summarised as shifting power away from communities and back to Whitehall, introducing too many target-based systems and taking officers away from the front line. I listened carefully to the speech made by the shadow Home Secretary, for whom I have a lot of respect, and read the speech she gave to the Police Federation, but I still see no evidence—perhaps it is too early at this time—of any concrete ideas for reform.

On the subject of the Police Federation, I would like to digress briefly and mention the reception given to the Home Secretary last week, which I thought—I choose my words carefully—was unedifying, unfortunate and unnecessary. We are in difficult times and whichever party was in power it would have to make some tough decisions. Communication is very important, and we must respect the appointment. There are consequences of showing disrespect when a Secretary of State speaks to a federation, whether it relates to education, health or the police. It is important that that relationship is kept strong and that we do not get to the situation, as we see with the Health Secretary, where they decide no longer to speak to the full federation, but to smaller groups instead. I just want to put those points on the record.

I have a couple of observations to make on the Home Secretary's speech itself. I have made the point about Criminal Records Bureau checks. I am fortunate to

[Mr Tobias Ellwood]

come from a family that is full of teachers, who feed me information about their problems and frustrations when trying to organise school events, take trips and provide the children with a bit of exposure beyond the school itself. Their frustration is the result of the red tape that they have to go through and the amount of paperwork required when organising those trips. I gave the example of one teacher in one school requiring a separate set of checks simply because her child went to another school where she wanted to drive a minibus. I am glad to hear that the coalition Government are going to address that issue.

Another aspect is antisocial behaviour, and I intervened on that point, but the Opposition did not make it clear whether they will move away from ASBOs or are still proud of what is considered a badge of honour. It is clear that among certain age groups three quarters of ASBOs are broken. They are breached, they do not work and we need a different form of reform which looks into the deep-rooted reasons why such ASBOs are broken.

There is also the aspect of late-night drinking. It is fair to say that Bournemouth has a vibrant nightlife, as do most towns nowadays, but one issue that the Home Secretary raised was the importance of the visibility of policing. The visibility of policing in Bournemouth has been tested, because of late-night drinking—the 24-hour drinking culture that the previous Government introduced. It has placed huge pressure on the police. They are no longer overstretched from 10 o'clock at night until 1 or 2 in the morning; they have to go until 3, 4, 5 o'clock in the morning in order to police the streets, because that is when the antisocial behaviour really kicks in.

Then, there is the amount of red tape affecting our police officers. In 2009-10, more than 52 guidance documents came from the Home Office, each one averaging 100 pages—far too much interference from Whitehall. That needs to change. That is why only 15% of any police officer's time seems to be spent on the front line. Instead, they are pulled away to do the paperwork that the previous Government promised to tackle.

This has been a helpful debate. I am pleased to see that after 13 years we are starting to tackle some of the difficult decisions that face our police forces and our country. We need to reform the police, to reduce the red tape that exists among our forces and finally to grasp the difficult nettle of pay and conditions. I congratulate my right hon. Friend the Home Secretary on taking on those issues—issues that were sadly ducked during 13 years of Labour.

9.32 pm

Geraint Davies (Swansea West) (Lab/Co-op): The thin blue line on the Government Benches is pretty thin for fairly obvious reasons: they do not have a decent alibi for making these savage and unnecessary cuts. The alibi that the Home Secretary feebly provides is that it is all the deficit and all Labour's fault, but we all know that at least two thirds of that deficit was created by the bankers.

The British taxpayer has been robbed by the bankers, and in reality the deficit was the price paid to avoid a depression. If the Labour party and my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown) had not intervened, we would have been on our knees, and that investment in the banks will be paid back many times over, because the share prices will go up. Admittedly, one third of the deficit was excess investment over income to grow our economy, but there are no apologies for that.

Given that there is a deficit that the international financial community created, what should be done about it? Should we go down the Home Secretary's path and clear the deficit in just four years, or whether we should halve it in four years? The other question is, whether we should get rid of the deficit in four years just through cuts to public services and benefits, or use three mechanisms: first, economic growth, such as notably the Germans and the Americans are using; secondly, make the bankers pay their fair share; and thirdly, yes, make manageable savings over time.

In the case under discussion, that would mean 12% cuts instead of 20%, the difference between front-line cuts and no front-line cuts. As I said in an intervention, the Government's policy is a false economy, because the extra 8 percentage points, which will go purely on man and womanpower, will increase crime and the public will bear the cost in property or in damage to people. There is a clear choice, and the Government's policy is the wrong choice.

We have seen it all before. Under the Tories last time, crime doubled; under Labour, crime went down 40%. Not only are we seeing the means of tackling crime reduced by cuts in police, DNA services, CCTV and ASBOs, by making sentences easier and by giving the wrong signals to rapists; we are increasing demand by cutting education, cutting jobs and increasing drug-taking essentially—*[Interruption.]* The Home Secretary seems bemused, but in reality if there is less education and fewer police, more children will go on to take drugs. That is certainly the testimony that I have heard from the police. The basic economics of the situation are completely absurd.

On top of that, we have this structural change costing £200 million—the introduction of elected commissioners, whose incentive will be to go for votes in middle-class, low-crime, high-voting areas. They will go along and say, "Yes, we'll have some more community policing down here in this middle-class area", but they will not do that where there are no votes and higher crime. There will therefore be a direct contradiction between the motivation of the elected commissioner and the operational chief constable who is supposed to be independent. The whole thing is absolutely farcical. What we need, clearly, is a pause. We have seen a number of pauses from this Government, including on the NHS and the woodland fiasco, and it is time to push the pause button again and do a complete reversal. In a nutshell, these changes are unnecessary, unfair and counter-productive.

Finally, I want to put in a good word for the Swansea police, particularly Chief Superintendent Mark Mathias. They are doing an absolutely fantastic job. For example, they are meeting up with retail traders to talk about the relationship between antisocial behaviour and economic growth and linking up with communities. However, they are not helped by the fact that one hand is being tied behind their backs and they are not given the support that they require.

The view of the police, which is reflected among the public, was shown by the complete silence that met the Home Secretary when she spoke to them. If she does not have the confidence of the police, how can she hope to succeed? These polices do not make sense economically, socially or in terms of crime, and I urge her to think again.

9.36 pm

Vernon Coaker (Gedling) (Lab): This has been an interesting debate with many contributions. I am particularly pleased that my hon. Friends, to a man and woman, have put forward the message that what we are seeing is very damaging to each and every one of our communities. My right hon. Friend the Member for Cardiff South and Penarth (Alun Michael) and my hon. Friends the Members for Bolton South East (Yasmin Qureshi), for Oldham East and Saddleworth (Debbie Abrahams), for Birmingham, Erdington (Jack Dromey), for Mitcham and Morden (Siobhain McDonagh) and for Swansea West (Geraint Davies) pointed to the real damage that the budget cuts are doing to policing in their areas, highlighting the impact of the fight against crime on other important community services.

Interestingly, the unity among Labour Members was not matched by Government Members, many of whose interventions and speeches pointed to the fact that the Government are in some difficulty on this whole agenda. The hon. Member for Monmouth (David T. C. Davies), who also spoke about himself, eloquently explained at some length the damage being done to the Government's law and order credentials on sentencing and issues relating to policing. The hon. Member for Broxbourne (Mr Walker), who is not in his place, asked his own Home Secretary to look at the disproportionate impact of the cuts on policing. The hon. Member for Shipley (Philip Davies) pointed to the potential harm done by the bureaucracy surrounding CCTV, ANPR and DNA. However much the Home Secretary tries to pretend that all is well and everything is going just swimmingly, it is clear that there are tensions and problems.

With regard to all this, it sometimes seems to me that I live in a parallel universe. I am struck by what the Home Secretary said at the Police Federation conference and by what she has said to the House. There was not a sliver of doubt in what she said—not one jot or iota of movement to suggest that maybe, just maybe, there might be other people who have a point, or that if she is not totally wrong, perhaps she needs to trim a little bit. Everybody who has opposed the Home Secretary, and indeed the Minister for Policing and Criminal Justice, is regarded as wrong, and their views are rejected. The view from Government Front Benchers is this: "We will plough on. It doesn't matter what anybody else says—we are going to carry on."

I say to the Home Secretary that the Government are out of touch on crime. They are taking big risks with the cuts to police numbers. The Prime Minister, who prides himself on being in touch, has not made one major crime speech since becoming Prime Minister. There is no cross-Government strategy to cut crime. Crime went up under the Tories before. If the Home Secretary, the Policing Minister and other Ministers carry on like this, they are at risk of that happening again, and it is communities across the country that will pay the price.

The Home Secretary tells the House that there is no choice but to slash the budget by 20% and to lose 12,000 police officers and 16,000 staff. I say to her that that is a choice the Government have made. There is an alternative, but the Government do not want to pursue it. I will not use the example of aid that was given by the hon. Member for Monmouth, because we support that money. The Government have protected certain budgets. The schools budget is protected. The health budget is quite rightly protected. The Defence Secretary fought for the defence budget and secured changes to it. Where was the Home Secretary when it came to the police budget? Where was she when she should have gone to the Prime Minister and demanded that he give the police the budget they deserve? She was nowhere. Why was that not a priority? The police suffered a disproportionate cut to their budget, which is forcing chief constables up and down the country to make cuts.

I do not blame the chief constables, as the Home Secretary has done, for cutting police numbers. The blame for that lies fairly and squarely on the shoulders of this Government, who have made the decisions about the budgets. It is not the chief constables who should be blamed, but the Home Secretary and her Ministers.

As well as police numbers being cut—some of the most experienced officers have already gone—the front line will be affected. I guarantee to all Government Members that if they speak to police officers in their constituencies, they will say that it is impossible for what is happening in their area not to impact on the front line. *[Interruption.]* The hon. Member for Ealing Central and Acton (Angie Bray) says that she does not think that that is right. I tell her to put that on her website. I will check it in the next couple of days to see whether it is on there.

Dr Huppert: Will the hon. Gentleman give way?

Vernon Coaker: I will give way in a moment, because I am sure that the hon. Gentleman will put out a press release on what he says. It will come out how the loss of officers and staff in Cambridgeshire is impacting on the front line there. I was in Cambridgeshire yesterday, and I spoke to front-line officers who told me that that was the case.

Dr Huppert: I thank the hon. Gentleman for giving way. It is a shame he did not have the courtesy to say that he was visiting Cambridgeshire. I spoke to the chief constable this morning—the hon. Gentleman would know this if he had been here earlier—and there will be no loss of police constables in Cambridgeshire. The hon. Gentleman is simply wrong.

Vernon Coaker: Before the hon. Gentleman gets on his high horse, I should say that I have not heard of the new rule that one has to let an MP know every time one visits friends. I went to see friends of mine in Cambridgeshire who happen to be police officers, and they told me what the impact on front-line officers will be. If I had to choose between the hon. Member for Cambridge (Dr Huppert) and front-line police officers in Cambridgeshire to tell me about the impact on the front line, I know who I would trust.

The hon. Member for Shipley spoke about the impact of DNA and CCTV. People and communities up and down this country are not saying to me as shadow

[Vernon Coaker]

Policing Minister, to my hon. Friends or to Government Members, "We've got far too many CCTV cameras in our area." I do not have people queuing up in my constituency to tell me that. They are not saying, "Actually, our civil liberties are being undermined tremendously". They say that they want more CCTV, because they understand that it supports the police and helps them fight crime. It reassures people and enables crime to be tackled effectively.

Tom Brake *rose—*

Vernon Coaker: I will not give way, because I have only a couple of minutes. I normally would, as the hon. Gentleman knows.

A point that has not yet hit home is that supported housing, domestic and sexual violence services and youth services—the community services that people depend upon—are all being cut. When specialist housing support, sexual violence officers and the specialist domestic violence services provided by local authorities or voluntary organisations are no longer in place, people will instead dial 999 and ask for a police officer, who by their nature will try to attend. That will be a real problem for the police, because demands on them will go up as there is contraction in other services.

The Home Secretary spoke in absolute terms about what police and crime commissioners would do, but said not a word about the defeat in the House of Lords. She spoke as though the vote there had never taken place. There was no reference to it at all, no slight heed paid to the fact that the Government's plans might need to change.

Mrs May: May I suggest that in future the hon. Gentleman listens to my speeches? I made specific reference to the defeat in the House of Lords and what would happen in the House of Commons.

Vernon Coaker: I will have a look at what the Home Secretary said, but I think all of us know that she is just going to plough on regardless of what the House of Lords has done.

We have a Government who are playing fast and loose on crime, and who say that they know best but are out of touch on law and order. It is about time that they got a grip and made the right choices for the country, the police and communities. If they can U-turn on forests and the NHS, we need a U-turn on the police. It will be interesting to see whether the Home Secretary and the Government do that.

9.48 pm

The Minister for Policing and Criminal Justice (Nick Herbert): We have had a typical debate on policing this evening, in which Government Members have spoken with knowledge about policing in their local areas and offered constructive suggestions on how policing could be improved, and, as usual, Labour Members have simply sought to play politics, as they have in every debate that they have called.

I begin by mentioning what I believe all of us should agree about—the value of the police in our country, the contribution that they make and the need for us to support them. I note in particular the tribute that my hon. Friend the Member for Croydon Central (Gavin Barwell) paid to PC Nigel Albuery, who was stabbed on duty last week serving the Metropolitan police. His service, and what he went through, reminds us of the importance of the job that the police do, which we must recognise is frequently difficult and dangerous. Police officers, of course, cannot strike. It is therefore important—I say this in response to hon. Members on both sides of the House—that we treat police officers properly and value their service. However, none of that means that the Government do not have to take the difficult decisions that it is necessary to confront at the moment.

I agreed strongly with my hon. Friend the Member for Monmouth (David T. C. Davies) on criticism of the police, which was levelled, for instance, in relation to the disorder in London in past weeks. He made the point that the police are so often damned if they do and damned if they do not. This Government have sought not to join in with that criticism; instead, we have offered support for both the leadership of the police and the officers who did their job on the ground in difficult and trying circumstances. Many of those officers were injured, and we believe that criticism should be levelled at, and reserved for, the people who perpetrated that violence. It is simply wrong-headed to criticise the police for the action that they took.

I am afraid that Opposition Members continue not to accept the fact that we must deal with the deficit, which means that we must take tough decisions. It is quite clear that Opposition would be simply unwilling to take those decisions—meaning decisions on the public sector. Do the shadow Home Secretary and the shadow Policing and Criminal Justice Minister really think that it helps to criticise chief constables as they seek to take the inevitable and difficult decisions to protect front-line services and restructure their forces? That does not help those chief constables at all.

The Opposition pretend, both to the police and to the public, that their policy would be completely different from ours, but as my right hon. Friend the Home Secretary pointed out, their policy is to cut, this year, £7 of every £8 that we would cut. As the shadow Home Secretary has been forced to admit, the Opposition would cut £1 billion a year from police budgets. She must be the only person in this country who thinks it possible to cut £1 billion from police budgets without any reduction in the work force. How on earth does she think such savings can be realised?

Of course, there will be savings from reducing the work force. Her Majesty's inspectorate of constabulary was quite clear that cuts would be made across legal and investigation services, and in estates, criminal justice, custody, training, intelligence, business support and community policing. That is where HMIC said savings must be realised. Why do the Opposition believe it possible to reduce spending on the police by £1 billion a year—their policy—and yet pretend to police officers and staff that not a single job would be lost? Frankly, in taking that position, they are not being straight with police officers and their staff about what would happen.

That is very different to the position taken by the former shadow Chancellor, the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson). When he was Home Secretary, he at least had the honesty to admit that Labour could not maintain numbers. He admitted that, but the current shadow Home Secretary will not admit it. The truth is that she has absolutely no idea how that £1 billion of savings would be achieved. Let me give her an example from the HMIC report. The inspector talks about the importance of making savings from collaboration. He says:

> "Hertfordshire and Bedfordshire forces anticipate savings of"

£1.5 million

> "from joint work on scientific support, major crime, firearms, a single dog unit and a single professional standards department."

Yvette Cooper *rose—*

Nick Herbert: I am not going to give way. [HON. MEMBERS: "Give way!"] No. I gave way to the right hon. Lady last time, and she abused that privilege. I am not going to give way to her again. How does the right hon. Lady think that Hertfordshire and Bedfordshire could make these savings other than by reducing the number of people?

Yvette Cooper *rose—*

Nick Herbert: Those forces talk about a single dog unit. Does the right hon. Lady think they are just cutting the number—*[Interruption.]*

Mr Speaker: Order. Members must not try to drown out the Minister of State. He must be heard. If he wants to give way, he will, but if not, he must continue.

Nick Herbert: With only a few minutes to go, I will not give way.

The Labour party does not wish to admit to police officers and the public that it, too, would be cutting budgets, staff and police pay. In her speech, the right hon. Lady criticised a police force that was having to cut its overtime bill. What does she think a cut in overtime is if not a cut in police pay? Frankly, the Opposition's position is one of nothing more than shameless opportunism. Government Members know exactly what we have to do.

Incredibly, in answer to my hon. Friend the Member for Devizes (Claire Perry), the right hon. Lady said, "We have had this debate before". Yes we have, and she has called it before, and several times she has come to the Dispatch Box and repeated her constant claim about police cuts, but in all her speeches what has she actually said about policing policy? What has she said on any of these issues?

Yvette Cooper *rose—*

Nick Herbert: The right hon. Lady has had her opportunity already because she has called three debates, but what has she said about policing policy? She has said nothing about serious organised crime. She has said nothing about procurement and IT, on which we argue that savings can be found. We say that nearly £400 million of savings can be made through better procurement and IT. What is the Opposition's policy on that? They are silent. They have nothing to say on that.

Yvette Cooper *rose—*

Nick Herbert: The right hon. Lady has never mentioned it in her speeches. She opposes the two-year pay freeze that we are asking the whole public sector to apply, and which will save a considerable sum in policing. Why is she opposing the two-year pay freeze and then arguing that we have not identified how to make the savings? Of course we have.

Yvette Cooper: On a point of order, Mr Speaker. In your experience, is it parliamentary procedure and parliamentary protocol for a Member to make so many comments about the shadow Home Secretary and not allow them to intervene to respond?

Mr Speaker: It is the responsibility of the Member on his or her feet to decide whether, and if so when, to allow an intervention.

Nick Herbert: That time-wasting intervention has just shown exactly why it is not necessary or proper to give way to the right hon. Lady.

The Labour party, and particularly the shadow Home Secretary, have absolutely no credibility on policing policy, because they have nothing to say about it. What is her position on the Winsor reform proposal that police officers should be paid more for working antisocial hours? Is she in favour of or against that? She will not say. What is her policy on the Winsor proposal that police officers should be rewarded for the skills they show? She does not know, she has not said, and she will not say, because the Opposition have no credible policy on policing issues. What has she said about bureaucracy? Absolutely nothing at all. We know that Labour created it, and we are determined to sweep it away.

The Government are determined to fight crime, and we are determined to support the police. We are determined to give the police and others new powers to fight antisocial behaviour. We will create a new national crime agency to strengthen the fight against serious crime. We will cut targets and trust professionals by giving them the freedom to do their job. We will sweep away the bureaucracy that Labour imposed.

Mr Alan Campbell (Tynemouth) (Lab) *claimed to move the closure (Standing Order No. 36).*

Question put forthwith, That the Question be now put.

Question agreed to.

Main Question accordingly put.

The House divided: Ayes 206, Noes 304.

Division No. 285] [9.59 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Alexander, Heidi
Allen, Mr Graham
Austin, Ian
Bailey, Mr Adrian
Bain, Mr William
Balls, rh Ed
Banks, Gordon
Barron, rh Mr Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Dame Anne
Benn, rh Hilary
Benton, Mr Joe
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Roberta
Blenkinsop, Tom
Blomfield, Paul
Blunkett, rh Mr David
Bradshaw, rh Mr Ben
Brown, Lyn
Brown, rh Mr Nicholas
Brown, Mr Russell
Bryant, Chris
Buck, Ms Karen
Campbell, Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Caton, Martin
Chapman, Mrs Jenny
Clark, Katy
Clarke, rh Mr Tom

Clwyd, rh Ann
Coaker, Vernon
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Crausby, Mr David
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Tony
Curran, Margaret
Dakin, Nic
David, Mr Wayne
Davidson, Mr Ian
Davies, Geraint
Davies, Philip
De Piero, Gloria
Denham, rh Mr John
Dobbin, Jim
Docherty, Thomas
Donohoe, Mr Brian H.
Dowd, Jim
Doyle, Gemma
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Flello, Robert
Flint, rh Caroline
Flynn, Paul
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilmore, Sheila
Glindon, Mrs Mary
Godsiff, Mr Roger
Goggins, rh Paul
Goodman, Helen
Greatrex, Tom
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr Peter
Hamilton, Fabian
Hanson, rh Mr David
Harris, Mr Tom
Healey, rh John
Hendrick, Mark
Hepburn, Mr Stephen
Heyes, David
Hillier, Meg
Hilling, Julie
Hodgson, Mrs Sharon
Hoey, Kate
Hood, Mr Jim
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Irranca-Davies, Huw
James, Mrs Siân C.
Jamieson, Cathy
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Jowell, rh Tessa
Joyce, Eric
Khan, rh Sadiq
Lavery, Ian
Lazarowicz, Mark
Leslie, Chris
Lloyd, Tony
Lucas, Caroline
Lucas, Ian
Mactaggart, Fiona
Mahmood, Mr Khalid
Mahmood, Shabana
Marsden, Mr Gordon
McCabe, Steve
McCann, Mr Michael
McCarthy, Kerry
McClymont, Gregg
McDonagh, Siobhain
McGovern, Alison
McGuire, rh Mrs Anne
McKechin, Ann
McKinnell, Catherine
Meacher, rh Mr Michael
Meale, Mr Alan
Mearns, Ian
Michael, rh Alun
Miliband, rh David
Miliband, rh Edward
Miller, Andrew
Mitchell, Austin
Morden, Jessica
Morrice, Graeme *(Livingston)*
Morris, Grahame M.
(Easington)
Munn, Meg
Murphy, rh Mr Jim
Murphy, rh Paul
Murray, Ian
Nandy, Lisa
Nash, Pamela
O'Donnell, Fiona
Onwurah, Chi
Pearce, Teresa
Perkins, Toby
Phillipson, Bridget
Pound, Stephen
Qureshi, Yasmin
Raynsford, rh Mr Nick
Reed, Mr Jamie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robertson, John
Robinson, Mr Geoffrey
Rotheram, Steve
Roy, Mr Frank
Roy, Lindsay
Ruddock, rh Joan
Sarwar, Anas
Seabeck, Alison
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheridan, Jim
Shuker, Gavin
Simpson, David
Skinner, Mr Dennis
Slaughter, Mr Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Nick
Spellar, rh Mr John
Stuart, Ms Gisela
Sutcliffe, Mr Gerry
Tami, Mark
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, Valerie
Walley, Joan
Watson, Mr Tom
Watts, Mr Dave
Whitehead, Dr Alan
Williams, Hywel
Williamson, Chris
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Woodward, rh Mr Shaun
Wright, David
Wright, Mr Iain

Tellers for the Ayes:
Mr David Anderson and
Graham Jones

NOES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Baker, Norman
Baker, Steve
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Beith, rh Sir Alan
Benyon, Richard
Beresford, Sir Paul
Bingham, Andrew
Binley, Mr Brian
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bradley, Karen
Brady, Mr Graham
Brake, Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Browne, Mr Jeremy
Bruce, Fiona
Bruce, rh Malcolm
Buckland, Mr Robert
Burley, Mr Aidan
Burns, rh Mr Simon
Burrowes, Mr David
Burstow, Paul
Burt, Alistair
Burt, Lorely
Byles, Dan
Cable, rh Vince
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Carswell, Mr Douglas
Cash, Mr William
Chishti, Rehman
Clappison, Mr James
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Collins, Damian
Colvile, Oliver
Cox, Mr Geoffrey
Crabb, Stephen
Crockart, Mike
Crouch, Tracey
Davies, David T. C.
(Monmouth)
Davies, Glyn
de Bois, Nick
Dinenage, Caroline
Djanogly, Mr Jonathan
Dorries, Nadine
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Fallon, Michael
Farron, Tim
Featherstone, Lynne
Field, Mr Mark
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Graham, Richard

Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, Robert
Hammond, Stephen
Hancock, Matthew
Hands, Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Hayes, Mr John
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Henderson, Gordon
Hendry, Charles
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Horwood, Martin
Howell, John
Hughes, rh Simon
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Jackson, Mr Stewart
James, Margot
Javid, Sajid
Jenkin, Mr Bernard
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kelly, Chris
Kirby, Simon
Knight, rh Mr Greg
Kwarteng, Kwasi
Laing, Mrs Eleanor
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Leech, Mr John
Lefroy, Jeremy
Leigh, Mr Edward
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Macleod, Mary
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McPartland, Stephen
McVey, Esther
Menzies, Mark
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Moore, rh Michael
Mordaunt, Penny
Morgan, Nicky
Morris, David
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
O'Brien, Mr Stephen
Offord, Mr Matthew
Ollerenshaw, Eric
Ottaway, Richard
Parish, Neil
Patel, Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Reevell, Simon
Reid, Mr Alan
Robertson, Mr Laurence
Rogerson, Dan
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Sandys, Laura
Scott, Mr Lee
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Shepherd, Mr Richard
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Henry
Smith, Julian
Smith, Sir Robert
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stanley, rh Sir John
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Stunell, Andrew
Sturdy, Julian
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Syms, Mr Robert
Teather, Sarah
Thurso, John
Timpson, Mr Edward
Tomlinson, Justin
Tredinnick, David
Truss, Elizabeth
Turner, Mr Andrew
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Watkinson, Angela
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Whittingdale, Mr John
Willetts, rh Mr David
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wollaston, Dr Sarah
Wright, Jeremy
Wright, Simon
Yeo, Mr Tim
Zahawi, Nadhim

Tellers for the Noes:
Norman Lamb and
Bill Wiggin

Question accordingly negatived.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

ELECTRONIC COMMUNICATIONS

That the draft Regulation of Investigatory Powers (Monetary Penalty Notices and Consents for Interception) Regulations 2011, which were laid before this House on 4 April, be approved.—*(Mr Goodwill.)*

Question agreed to.

COMMUNITIES AND LOCAL GOVERNMENT

Ordered,

That Mike Freer be discharged from the Communities and Local Government Committee and Heather Wheeler be added to the Committee.—*(Mr Clifton-Brown, on behalf of the Committee of Selection.)*

HUMAN RIGHTS (JOINT COMMITTEE)

Ordered,

That Dr Julian Huppert be discharged from the Joint Committee on Human Rights and Mike Crockart be added to the Committee.—*(Mr Clifton-Brown, on behalf of the Committee of Selection.)*

FTSE 100 Companies (Governance)

Motion made, and Question proposed, That this House do now adjourn.—*(Mr Goodwill.)*

10.16 pm

Eric Joyce (Falkirk) (Lab): I want to speak about corporate governance in the City of London's largest companies, the FTSE 100 companies. We all have an interest in them, because all our pensions are invested in them. In particular, I want to speak about what I consider to be a serious failure of corporate governance on the part of one company and the non-executive directors who sit on its board. When preparing my speech, I spoke to a number of FTSE 100 executives and non-executives who were both professional and frank, except those at the single entity which I fear may be the bad apple that infects the rest of the barrel.

The City of London is a world leader. Billions of pounds pass through it every week and every month. An average of 600,000 transactions a day have taken place over the last five days, with a turnover ranging from £4.5 billion to £7.4 billion. The United Kingdom Exchequer derives an enormous revenue from the City. It is a huge source of employment and prestige for the UK, and it affects all our constituents in the most profound ways.

The City of London is successful because it attracts many of the world's best at all levels, be they traders, managers or back-room staff. I think it best, on the whole, to let the wheels of commerce turn and, as a nation, to extract the benefits through corporate taxation, wherever it is levelled and whatever the levy. However, as we have seen recently with the banking crisis, things can go awry. For that reason, the system requires integrity so that people can trust it. Of course no system is perfect and flaws will always exist, but most agree that that essential integrity is best assured by, on one hand, regulatory bodies alongside the professional bodies that regulate the various professions involved in the City, and on the other hand the governance and structures of the individual companies themselves.

My aim this evening is not to raise the technicalities and structures of City regulation, but to ask the Minister more broadly whether he is concerned about the governance oversight of firms that are controlled by specific individuals from abroad and have no operations in the UK. I do not suggest that it is impossible for such companies to operate with complete dignity, and many do, but I do suggest that when there is good cause to suspect that the standards of governance of a listed company are below those that the public have a right to expect, that should become a matter of deep public concern which should be reflected in the Government's stance on such failure.

I have a bad apple in mind. At the core of my concern—because it illustrates perfectly the case that I am making—is the Eurasian Natural Resources Corporation. I have raised the subject of the company and what I consider to be its ill-advised dealings in the House before, but things have moved on and I think that it is worth raising it again. The commercial entity that is now the ENRC arose from the denationalisation of a Kazakhstan Government asset, or series of assets. It is now dominated by three Kazakhstani billionaires. The Kazakhstan Government retain a substantial share, as does Kazakhmys, another Kazak mining company which is also a member of the FTSE 100.

The ENRC was listed in London in 2007 and, given the importance of the mining sector in terms of general values on the exchange, it is a key member of the FTSE 100. It has extensive operations in Kazakhstan, of course, and its regional neighbours Russia and China. Significantly, it has now extended its operations into Brazil, Mali and, last year, the Democratic Republic of the Congo. Before the ENRC's entry into the DRC, the company had been the subject of as much speculation as any other FTSE 100 company—many companies are the subject of speculation, which is up to them and their public affairs people to deal with, and most of them do that perfectly professionally. The ENRC had not generated much general public interest, but that changed when it procured a number of assets in the DRC which had been expropriated by the Government from what I think the markets agree is a perfectly reputable company.

That company operated in the DRC and was the largest taxpayer in that country. It had invested about £700 million in a couple of mines, but one in particular. I have mentioned this topic before in this place, so I do not need to keep repeating the details. What assets it invested in is well known. It invested £700 million and employed many thousands of people, and it was a huge taxpayer in the DRC, but, for no good reason, the DRC expropriated its assets. A close friend of the President of the DRC bought the assets at a knock-down price—about $20 million, which is a bit of a joke. The markets were very sceptical about the legitimacy of bidding for them. The key assets were the licences to operate a couple of mines, but one in particular at a place called Kolwezi. The only company that was really interested in procuring that was the ENRC, and that was its entrée into the DRC.

Many people had concerns, but not, it seems, the executives at the ENRC. I do not think that it is necessarily for the executives to answer every question that people and politicians might have, but I do think that non-executive directors should have sensible oversight and give people confidence that the operations of their company are legitimate. Many questions were raised about where an overnight profit of £160 million went. There were patterns; other deals had been operated in the same way by the same guy, Dan Gertler. He is an Israeli, and apparently a legitimate business man, who flies across to the Congo to do his business. Many people asked where that £160 million of profit on that one deal had gone. We can be as transparent as we want in respect of international aid, but our Government give £140 million or £150 million to the Congo in a single deal, and that can be wiped out—it can go anywhere, and we simply do not know. That does rather throw into question the effectiveness of development aid, and scepticism has recently been expressed in certain quarters about such money simply being displaced by "dodgy deals" so it does not go where it is intended to go. There are certainly concerns about this particular deal; I and many others who are interested in the region—and in the City—were deeply concerned.

It is a testament to the integrity of the governance of other FTSE 100 companies that many showed deep concern. Several withdrew their investments, and several reputable investment funds took out their money. One major merchant bank made a public statement that it was very concerned and reluctant to deal with this FTSE 100 company again. The non-executive directors, who I would have expected to be keen to make sure everything was entirely legitimate, were completely unconcerned. Their public statements were completely blasé; they had no concerns whatever. That was remarkable because most people who knew about the market, the company and the deal were very concerned about the circumstances, which was why they had not touched the asset and the ENRC got it at a knock-down price.

I am reluctant to bang on about personalities, and I am especially cautious about that given what is happening in other current news stories. However, I shall mention one person who is publicly known to be the senior independent non-executive director of the ENRC: Sir Richard Sykes. I will mention a couple of technicalities about the purpose of governors and non-executive directors in a few moments, but I think it is pertinent to mention him now because he is a good example of a very successful chief executive officer.

Sir Richard Sykes was CEO of GlaxoSmithKline for many years, and he was enormously successful and highly regarded. Subsequently he had a bit of a hiccup as principal of Imperial college, London, concerning what some considered to be a slightly ropey back-door deal to try to acquire the land of Wye agricultural college in Kent, which eventually fell through. That may have tainted him a little and perhaps that is why he has taken up this particular non-executive position. It was widely reported in the financial press that he was being paid about three times the normal rate—about £250,000—to be a non-executive director at the ENRC. He expressed little concern, as he thought that the deal was entirely legitimate. Indeed, he thought that if the case went to international arbitration and some fault was found, the Government of the DRC would have to pay the money. The case is in international arbitration; the company that previously owned the asset that I am referring to as Kolwezi has taken the case up. To that degree, it is difficult for us to comment on what might happen in future, but what is clear is that the senior independent non-executive director of the ENRC thinks it is perfectly legitimate and fair that the DRC, which is one of the poorest countries in the world, should pick up a bill of £700 million, £800 million or perhaps more—the case is being spoken about in terms of billions. This seems to be something of a failure of corporate governance.

That made me reflect on the purpose of corporate governance. I am not an expert in this area—many hon. Members have much more expertise on what the defined legal roles of directors, executive directors and non-executive directors are—but I have done a little reading and I thought that I would just reflect on what corporate governance is supposed to achieve. It is commonly defined—this is a little dry, but it is perfectly right to mention it—as the system by which companies are directed and controlled. The board of directors is entrusted with that function, and each member is appointed to uphold all appropriate governance standards.

The role of non-executive directors—this is my primary concern—within a company's governance structure is less clearly defined and, apparently, varies among companies. Non-executive directors are often seen as the guardians of the corporate good and act as buffers between the executive director and the company's outside shareholders. They act as chairman, monitoring executive actions and questioning executive decisions. It seems to me that they have a dual role. They clearly have a primary responsibility to the shareholder, but more broadly they have a responsibility to the broad City of London and the whole corporate governance structures of the UK to ensure that people are confident that if our pensions are being invested in FTSE 100 companies, as they are, the non-executives are doing the job that they are supposed to be doing. That job is to have in mind not only the profitability of the company, but the reputation of the company and the brand, and to keep a good eye on what hard-pressed executives are doing to maximise their profits. Those guys are being pushed very hard and are being handsomely rewarded but if, from time to time, someone chooses to cut a corner, it is the job of the corporate governance of the non-executive directors to pick it up.

As far as I can see, we trust non-executive directors to a large degree, despite the fact that many people fire lots of, perhaps unfair, criticism at them, saying that they are placemen and so on. Broadly speaking, there is a quite a lot of confidence in corporate governance, as is seen in the case of Glencore, which had an initial public offer—partial flotation—last week. There has been enormous discussion about the make-up of its board, and whether or not the board can do its job properly because many of the non-execs are so powerful and wealthy. That is for time to tell, as was said in an excellent column by Miss Sunderland in the *Daily Mail* a few weeks ago. I have no great concerns about any other immediate companies at the moment, because I do not really know enough about them, but I do know enough about the ENRC to see that non-executive directors do not appear to have done their job. Other significant figures in the City of London have been very clear and open about that.

It is also worth mentioning that when politicians approach these companies, whether or not they like it—they are pretty neutral—they usually have a pretty professional operation. I found the ENRC to be completely invisible and unapproachable. It has one public relations guy and a spaniel sitting in an office somewhere in London. Its ownership is abroad, as are its operations. As I say, it is owned by people who are largely unaccountable. That is not to say that there has to be wide public ownership of a company for the board to have accountability from the chief executive officers, because there are many cases where families control public companies but the governance is still fine.

In this case, it looks as though there is about to be a fight between the Kazakhstani Government and a few billionaires who were beneficiaries when the Kazakhstani Government largely privatised the company, or took it out of nationalisation, who want to take control. The non-executive directors, who I believe have been completely ineffectual, have found lately that their reputation has been badly affected, so they are now trying to argue that there should be greater corporate oversight at the ENRC. The response from the billionaires who sit behind the ENRC has been to try to get enough shares to take overall control, to sack all the non-exec directors in about two weeks' time at the annual general meeting and effectively to leave the company without any meaningful corporate governance. The company has also been unable to recruit a new CEO after the former CEO left at very short notice a couple of months ago in opaque circumstances.

In conclusion, do the Government have a plan for what happens when a corporate entity, which affects everyone's pensions, is sitting in the City of London,

[Eric Joyce]

potentially infecting the barrel? I am not saying all the other companies are naive fools, but we have a corporate entity in London that has foreign ownership, no effective meaningful shareholder control, operations that are entirely abroad and billionaires who are bragging about how they will take over the company and sack all the non-execs. How will the Government ensure some degree of confidence in the markets that a company like the ENRC will not do the same thing it did with Kolwezi and damage the good reputation of the City of London?

10.31 pm

The Minister for Universities and Science (Mr David Willetts): I congratulate the hon. Member for Falkirk (Eric Joyce) on securing this debate. The title on the Order Paper is "Standards of governance amongst FTSE 100 companies", which is a very important subject, and it is clear from his remarks that he has a particular company and set of circumstances in mind. It will be hard for me to comment on that, but I realise that he is using the case to make some wider points about the City of London. He also rightly referred to the role of professional bodies before turning to the specific case of the ENRC.

The coalition Government believe that the UK's corporate governance framework plays an important role in enabling investors to hold the boards of companies to account for their performance, facilitating efficient allocation of resources in the economy and creating the accountability and transparency that encourage responsible business behaviour in line with internationally agreed standards. As such, it is vital to achieving our goal of sustainable economic growth.

There are various ways in which we deliver the strong corporate governance framework we have in the UK. One is our listing rules, which might help the hon. Gentleman and me to confront the question he asked towards the end of his speech. The listing rules that must be fulfilled before a company can be quoted on the London stock exchange are a matter for the Financial Services Authority as the UK listing authority. The UK regime is one of the strongest in the world and UK listed companies are expected to comply with high standards of corporate governance through compliance with the Financial Reporting Council's corporate governance code. The short answer to the hon. Gentleman's question is that the listing rules are crucial.

We are not complacent. We recognise that we need to ensure that our overall corporate governance regime is fit for the future and we need to make sure that the governance of our top companies continues to improve. The governance landscape is constantly changing, both domestically and internationally. We need to adapt to that to stay in line with our competitors and we are trying to do that with corporate governance reform, the stewardship code, narrative reporting and guidance on directors' remuneration and bankers' pay. That is all part of the Government's commitment to a wider corporate social responsibility agenda, encouraging businesses to minimise the negative social and environmental impact of their activity and maximise the positive impact they can make while benefiting commercially in the process.

Our action to support and encourage responsible business focuses on helping businesses to understand how they can deliver on corporate social responsibility, including by facilitating the exchange of good practice and supporting a range of international frameworks such as the OECD guidelines for multinationals and the UN global compact, which might be relevant to the case that the hon. Gentleman has raised. The Government are pressing for the EU to adopt rules providing for greater transparency in the information provided by multinational companies in extractive industries about, for example, their tax payments in host countries, based on the United States' Dodd-Frank principles. This will allow citizens to have the information to hold their Governments to account for the revenues they receive from resource wealth, including some of the tax payments the hon. Gentleman mentioned. However, I am not able to make any comment on or judgment about that specific account.

The US Dodd-Frank Act also requires companies reporting to the Securities and Exchange Commission to report their use of conflict minerals originating in the Democratic Republic of the Congo or neighbouring countries. We are interested to see how the US Government will implement their new legislation and we will closely monitor its implementation. In the meantime, we have been supporting the work of the OECD and the UN group of experts to develop due-diligence guidelines for the minerals supply chain in eastern DRC and to encourage adherence by companies looking to trade in cassiterite, wolframite, coltan and gold originating from the DRC. We are strong supporters, including financially through PROMINES, of DRC efforts fully to implement the extractive industry transparency initiative.

As we are talking about that country and businesses located in it, let me touch briefly on the hon. Gentleman's comments, but I hope he will understand that it is very difficult for me to comment on an individual case and that it would not be right for me to do so from the Dispatch Box. He asked about non-executive directors: let me make it clear that under UK law all directors need to comply with the same general duties, including the duty to promote the success of the company both in the long term and the short term and the duty to exercise reasonable care, skill and diligence.

I did not know that the hon. Gentleman had intended to refer to the company he mentioned or to Sir Richard Sykes, and I am not able to comment on those specific points. What I can say is that I have had dealings with Sir Richard Sykes over the years in relation to his position with the NHS and Imperial college, and we all know his record as the chief executive at GlaxoSmithKline. He is a well-respected business man who has also made a considerable contribution to the NHS and our higher education system. I am sure that the hon. Gentleman will recognise the seriousness of some of the things he said about the company. I am not able to comment on that case but I think we should all, on both sides of the House, recognise the significant contribution that Sir Richard Sykes has made to the commercial life of our country and to public service, in which I am sure he has always behaved with great integrity.

Outside the specific case that the hon. Gentleman has raised, there are wider issues. We have launched a new agenda called "Every Business Commits", in partnership with business in the community, to help all UK businesses understand how they can act responsibly. It gives them clear examples of how they can make a difference in priority areas such as supporting communities, improving quality of life, improving skills and creating jobs, protecting the environment and supporting small and medium-sized enterprises. "Every Business Commits" aims to shape business's contribution to the Government's broader agenda to empower communities and encourage social action. We believe it will provide the platform for business to play an important role alongside Government in helping to resolve some of society's most important challenges.

So my response to the hon. Gentleman is that the Government believe that the UK already has a robust corporate governance framework. We are not complacent and recognise that it always needs to be reviewed and updated, and we realise that there will always be individual cases that test those guidelines and that framework. I hope the hon. Gentleman will understand that it is hard for me to go further into the specific case that he raised. Nevertheless, our principles on which we will approach this and all cases are clear—that it is in the long-term interests of British companies to support the work we are doing to bolster corporate governance, and we encourage every company to meet the standards of the best.

We have specific powers, including the powers relating to the listing rules, which are for the Financial Services Authority. As we work through the issues of the correct structure of corporate governance in the UK, our conclusions will be based on the principles that motivate our desire to have a world-class corporate governance framework. However, we are not in the business of weighing companies and investors down with more regulation and higher costs. We believe in improving accountability and transparency. Those are important principles which we expect all companies, large or small, multinational or solely domestic, to live up to. We believe that following those principles is essential for securing long-term, sustainable economic growth for Britain.

I am grateful to the hon. Gentleman for raising these important issues. Although it is not possible for me to comment in any detail on the specific case, I hope he will accept that the coalition Government take very seriously indeed the overall framework of corporate governance, the powers that Governments and other regulatory bodies have, and our commitment specifically to tackling the problems with regard to the DRC and making sure that we have the highest standards of compliance when it comes to some of the extractive industries there.

Question put and agreed to.

10.42 pm

House adjourned.

House of Commons

Tuesday 24 May 2011

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Deputy Prime Minister was asked—

Disabled People (Elected Office)

1. **Amber Rudd** (Hastings and Rye) (Con): What progress he has made on implementing his proposals for additional support for disabled people to achieve elected office. [56959]

The Deputy Prime Minister (Mr Nick Clegg): We conducted a public consultation exercise, which ran from 16 February to 11 May, to seek views on a range of proposals designed to help to remove barriers faced by disabled people who are seeking elected office. We are currently analysing the responses, and intend to announce the strategy later this year.

Amber Rudd: I thank the Deputy Prime Minister for that answer. In Hastings we have 32 councillors and in East Sussex 49, but not one of them is registered disabled. Can he give any advice to the leaders of my councils about what can be done to encourage more disabled people to get involved in local politics?

The Deputy Prime Minister: My hon. Friend is right: the issue is applicable not just to this place, but to councils up and down the country. There are clearly barriers impeding the participation of people with disabilities in politics at all levels. I pay tribute to those who were involved in the Speaker's Conference on Parliamentary Representation, which was started some years ago and identified this as a problem. In our access to elected office strategy, which we will announce, we will address how that might affect local councils as well as this place.

Mr Speaker: I call Lindsay Roy. He is not here, so I call Mr Andrew Love.

House of Lords

3. **Mr Andrew Love** (Edmonton) (Lab/Co-op): What representations he has received on his plans for the future composition of the House of Lords. [56961]

The Deputy Prime Minister (Mr Nick Clegg): I have received many representations expressing a wide variety of views—

Mr Speaker: Order. I believe the Deputy Prime Minister is seeking a grouping.

The Deputy Prime Minister: Yes, forgive me. [HON. MEMBERS: "Oh!"] I would like to group questions 3, 4, 5, 11 and 12. A major issue—my omission to group the questions. That is how over-excited Members on the Opposition Benches get.

4. **Charlie Elphicke** (Dover) (Con): What recent representations he has received on his proposals for House of Lords reform. [56962]

5. **Mr Ben Bradshaw** (Exeter) (Lab): What recent representations he has received on his proposals for reform of the House of Lords. [56963]

11. **Mr Alan Reid** (Argyll and Bute) (LD): What representations he has received on his plans for the future composition of the House of Lords. [56969]

12. **Mel Stride** (Central Devon) (Con): What recent representations he has received on his proposals for reform of the House of Lords. [56970]

The Deputy Prime Minister: The loudest voices inevitably belong to those who object the most to our proposals to make the House of Lords a more democratic Chamber but, as the hon. Member for Edmonton (Mr Love) said last week, a democratic Chamber was endorsed in the manifestos of all three of the largest parties in the House.

Mr Love: Accountability is the essence of democracy. If the newly elected Members serve only one term for 15 years, how can that be called democratic?

The Deputy Prime Minister: As was discussed in the debate last week, the principle that one of the ways in which we distinguish between a reformed House of Lords and this Chamber is to introduce long non-renewable terms for the elected component in the other place was not invented by this Government. It was identified in a series of cross-party commissions over many years, but if the Joint Committee that is to be established thinks otherwise, that is exactly the kind of thing that we should debate in the months ahead.

Charlie Elphicke: Given that reform of the House of Lords was in all three major parties' manifestos, is it not right that the House discuss the matter in Committee to work out the best way to implement it?

The Deputy Prime Minister: Yes, and that is precisely why we look forward to a Joint Committee of both Houses being established through the usual channels, which will be able to get to grips with all the many questions, queries and objections that have been raised, so that we can as far as possible proceed on a cross-party basis on something that all parties are committed to seeing through.

Mr Bradshaw: From his conversations with the Prime Minister, how committed would the Deputy Prime Minister say the Prime Minister is to facing down his own Back Benchers and, if necessary, using the Parliament Act to get the reform through before the next election?

The Deputy Prime Minister: The Prime Minister gave an unambiguous answer to the question about the Parliament Act at Prime Minister's questions last week. Not only was the commitment made by all three parties in their manifestos, but it is one that we entered unambiguously into the coalition agreement.

Mr Reid: Does my right hon. Friend agree that it is important that the reforms lead to an increase in the diversity of representation in the second Chamber? What steps will he take to ensure that that is the outcome of the reform?

The Deputy Prime Minister: One of the advantages of the system that we are introducing, as explained in the White Paper, is that it will permit political parties to take active steps, in so far as they wish to do so, to use elections to the other place to increase the diversity of representation in Westminster as a whole.

Mel Stride (Central Devon) (Con): Given the country's firm rejection of AV in the recent referendum and the fact that the Government's proposals include the possibility of some form of proportional representation for election of Members of this Parliament, will my right hon. Friend at least consider giving the people of this country a referendum on this important constitutional change?

The Deputy Prime Minister: The first point of which to remind my hon. Friend is that this was a manifesto commitment of all three parties. It is something that we as a country have been discussing for around 100 years or so, and we have introduced changed electoral systems to a number of Assemblies and Parliaments in the UK without referendums in the past.

Mr David Winnick (Walsall North) (Lab): It is understandable that there is tension and disagreement between the two coalition parties on this issue, and perhaps on other matters, but it was reported last week that during a recent meeting of Tory MPs one Member described the Liberal Democrats as "yellow" followed by a second word beginning with "b" then "a" and ending in "s". Was the Deputy Prime Minister as shocked as I was by such behaviour?

Mr Speaker: Order. May I gently say to the Deputy Prime Minister and to the House that I do not think he is responsible for what is said at meetings of Conservative Members of Parliament?

Mr Andrew Turner (Isle of Wight) (Con): Should the right hon. Gentleman not drop this unpopular policy, which does not resonate with the majority of the public, and concentrate instead on finding a solution to the problem of the West Lothian question?

The Deputy Prime Minister: I am the first to acknowledge that, whether it is the West Lothian question or reform of the House of Lords, these are of course not matters that are raised by our constituents or on the doorsteps as we campaign at election time, but it does not mean that they are unimportant. We discuss many things in this House, from local government finance to world trade rules and all sorts of things that are not raised from day to day in our local communities, but that are none the less important. That is why we as a country have been struggling with this dilemma for more than 100 years and why all three parties have a manifesto commitment finally to make progress on reforming the other place.

Chris Bryant (Rhondda) (Lab): The thing we find most bizarre about all this is that it is a priority for the Government at this time. The coalition agreement states that they will continue to appoint peers to the House of Lords

> "with the objective of creating a second chamber that is reflective of the share of the vote secured by the political parties in the last general election."

There are currently 792 unelected peers, after a year of the fastest level of appointment of new peers in the history of this country. To get to the objective set out in the agreement, the Deputy Prime Minister would have to appoint another 269. Are there another 97 Liberal Democrats to make peers in the House of Lords? Should there not be a moratorium?

The Deputy Prime Minister: Every time the hon. Gentleman asks a question, I find it more and more baffling why anyone should want to hack his phone and listen to his messages. It is quite extraordinary. The point he has just made illustrates why we need to reform the House of Lords.

Postal Voting

6. **Graham Evans** (Weaver Vale) (Con): What recent assessment he has made of arrangements for the provision of postal votes on demand. [56964]

The Parliamentary Secretary, Cabinet Office (Mr Mark Harper): We have made no specific assessment of postal voting on demand, but we of course keep postal voting under review as we consider electoral administration in general.

Graham Evans: There have been widespread reports of shocking abuses of postal votes, especially in areas with high levels of multiple occupancy housing. Will my hon. Friend tell the House what steps the Government are taking to stamp out postal vote fraud and ensure honesty in our elections?

Mr Harper: I am grateful to my hon. Friend for that question. He will know that we are introducing individual voter registration before the next general election, which will mean that everyone who wants to cast an absent vote, a postal vote in this case, will have to register individually and provide their identifiers to their registration officer in order to make the register more secure.

Mr John Spellar (Warley) (Lab): Conservative Members are very prone to making rash statements about alleged postal vote fraud, and not just in this House, but in another place. I have been in correspondence with the Minister and regularly asked the Leader of the House whether he can get Baroness Warsi to retract her statement that the Conservative party was robbed of a majority at the last election because of electoral fraud on behalf of the Labour party, particularly in the Asian community. Although a Cabinet member, she resolutely refuses to reply. Will the Minister do so now on her behalf?

Mr Harper: The right hon. Gentleman raised this matter at business questions. My right hon. Friend the Leader of the House drew it to my attention, as I am the Minister responsible for that policy area, and I replied as quickly as possible and gave the right hon. Gentleman a full answer. If he wishes to raise it with me again and ask me anything—*[Interruption.]* If Labour Members would actually listen, they might hear my answer. If he would like to ask me anything that I have not already answered in my letter, I would be delighted to write to him again.

Voting Facilities (Service Personnel)

7. **Lilian Greenwood** (Nottingham South) (Lab): What discussions he has had with the Secretary of State for Defence on steps to facilitate voting in elections by service personnel serving abroad. [56965]

The Parliamentary Secretary, Cabinet Office (Mr Mark Harper): I have discussed that issue with the Minister responsible for defence personnel, my right hon. Friend the Member for South Leicestershire (Mr Robathan), and our officials in the Cabinet Office and the Ministry of Defence are continuing to work on proposals to make it easier for our brave service personnel abroad to be able to participate in general elections. The hon. Lady will know some details about that from the written answers I gave her last week.

Lilian Greenwood: I thank the Minister for that answer, but I am disappointed by the lack of urgency with which his Government are addressing the matter. I was shocked to find that, as a result of the Government's initiative in relation to voting on 5 May this year, only 40 of the thousands of service personnel deployed in Afghanistan voted in secret by post in the referendum, compared with the 217 who voted by post in the general election last year. At a public meeting in October 2008—

Mr Speaker: Order. We must have a one-second question; there is a lot to get through. Quick question, and we will carry on.

Lilian Greenwood: The Deputy Prime Minister assured my constituent Devina Worsley that he and the Armed Forces Minister would take action to address the issue. Is that another broken promise, or is he just not up to the job?

Mr Harper: I thought that we were going to get something good then, but that was clearly rehearsed. The hon. Lady will know from my detailed answer that the number of people who voted in the specific initiative that we set up, building on the one that the Labour party undertook for the general election, does not take into account all personnel in Afghanistan, some of whom will have registered separately. She will know also that my right hon. Friend the Deputy Prime Minister has made it clear that the Government plan to lengthen the campaign period for general elections so that overseas voters, including our service personnel, have more opportunity to vote. That is a very clear promise—

Mr Speaker: We are immensely grateful to the Minister.

Bob Stewart (Beckenham) (Con): When the Minister talks to the Ministry of Defence about voting, will he try to ensure that not just the way our servicemen and women vote but the way they are required to register is as simple as possible?.

Mr Harper: I agree, and we are doing two things. We are going to make registering as a service voter more straightforward, and we are going to undertake some data-matching pilots with a number of local authorities, working with the Ministry of Defence, so that we can look at improving the way service personnel are registered so they all have the chance to register and vote in elections.

Police and Crime Commissioners

8. **Nia Griffith** (Llanelli) (Lab): What discussions he has had with the Electoral Commission on the conduct of elections for police and crime commissioners. [56966]

The Deputy Prime Minister (Mr Nick Clegg): I have discussed the conduct of the elections for police and crime commissioners with the chair of the Electoral Commission. Cabinet Office officials have also been working closely with their counterparts at the Electoral Commission as part of work with the Home Department on the policy and legislation that will be required to allow for the conduct and regulation of those elections.

Nia Griffith: Many of my constituents would far rather see the estimated £100 million cost of running such elections for police commissioners spent on keeping police on the beat, but will the Deputy Prime Minister tell us the views of the Electoral Commission on limits to the campaigning expenses for elected police commissioner candidates?

The Deputy Prime Minister: The intention will of course be to bring the legislation on elections for police and crime commissioners into line with that on other elections. We are absolutely determined to deliver the commitment in the coalition agreement to hold the elections so that we have greater accountability in policing. Policing matters to every single family and community in this country, and that is why we should make the police more accountable to the people they serve.

Mr Gregory Campbell (East Londonderry) (DUP): Can the Deputy Prime Minister assure us that he will do what he can to ensure that there is no repeat of what happened in Northern Ireland earlier this month, when we had three different polls on one day, an inordinate delay in declaring the AV referendum result and significant delays in the other polls as well?

The Deputy Prime Minister: I am obviously very keen to hear from the hon. Gentleman any specific reservations he has about how the combination of polls operated, but the provisional feedback seems to be that, despite some very dire warnings about the combination of polls not only in Northern Ireland but elsewhere, on the whole it was conducted very successfully indeed.

Sadiq Khan (Tooting) (Lab): The Deputy Prime Minister will know that plans for police commissioners are a pretty major change in the way we do things, with new electoral boundaries and a new post. I will not go into the substance of the disagreement between the two sides about police commissioners, but on a procedural point the right hon. Gentleman has mentioned his discussions with the Electoral Commission. How soon in advance of the elections, which are now less than a year away, will we see the rules on spending limits, on fundraising transparency and on how the elections are held? He will be aware that all parties need to have time to select candidates throughout the country.

The Deputy Prime Minister: The right hon. Gentleman —unusually—makes a fair point. We do need to get these rules into place in good time, and we will be working with the Electoral Commission at all levels to make sure that the rules are available to everybody who wants to participate in these elections in good time so that they can be held in the proper way.

Political and Constitutional Reform

9. **Mr Peter Bone** (Wellingborough) (Con): What representations he has received on the application of the Salisbury convention to legislative proposals relating to political and constitutional reform. [56967]

The Deputy Prime Minister (Mr Nick Clegg): I have received no representations on this subject.

Mr Bone: The Deputy Prime Minister is well known for his love of Parliament and democracy. Perhaps no representations have been made because there is no question of the Parliament Acts being invoked at any time during this period of government because no single party was elected to government.

The Deputy Prime Minister: The hon. Gentleman's question is about the Salisbury convention, which is one of many conventions that entrench the relationship between the other place and the House of Commons. The Parliament Acts are also vital in that regard. We have no intention of altering either the Acts or the convention.

Topical Questions

T1. [56974] **Graeme Morrice** (Livingston) (Lab): If he will make a statement on his departmental responsibilities.

The Deputy Prime Minister (Mr Nick Clegg): As Deputy Prime Minister, I support the Prime Minister on the full range of Government policy and initiatives. Within Government, I take special responsibility for this Government's programme of political and constitutional reform.

Graeme Morrice: I thank the right hon. Gentleman for his answer. Now that the Deputy Prime Minister is even less popular than the Swiss entry in the recent Eurovision contest—at least they got 19 points—what immediate plans does he have to redeem himself in the public eye? Moreover, what principle or value is he not prepared to sell out over in his quest to cling to power?

The Deputy Prime Minister: Well read and well rehearsed! I will tell the hon. Gentleman one thing that I am not going to flinch from for one minute, and that is to clear up the mess left by Labour. Because of the sheer economic incompetence of the Labour party in government, this country, on the backs of our children and grandchildren, is borrowing £400 million a day. He might think that is okay; I do not.

T2. [56975] **Miss Anne McIntosh** (Thirsk and Malton) (Con): Can the Deputy Prime Minister give the House a timetable for his proposed reforms of the House of Lords? Will it be during the life of this Parliament, and how flexible are the proportions? Would he consider 30, 30 and 30?

The Deputy Prime Minister: The timetable is that the Joint Committee of both Houses first needs to complete its work, and we hope that it will do so in the early stages of next year, with a view to the Government then publishing a Bill in the second Session in order to see the first steps in a reformed House of Lords and the first elections taking place in 2015.

Ms Harriet Harman (Camberwell and Peckham) (Lab): People are worried about the NHS being turned from a public service into a commercial market. Part 3 of the Health and Social Care Bill makes this about profits, not patients. The Deputy Prime Minister has reportedly told his Back Benchers that he is against that, so will he tell the House now that the Government will strike out of the Bill the whole of part 3? He has been talking tough in private, but will he say it here in public?

The Deputy Prime Minister: I can be very clear, and the Government as a whole can be very clear, that there will be no privatisation of the NHS. It will not be run for profit and it will not be fragmented; it will be free at the point of use based on need rather than the ability to pay—full stop.

Ms Harman: The right hon. Gentleman ducked the question on part 3, did he not? It is clear that he will not stand up for the NHS against the Tories. There has been a pause in Parliament, but have not the Tories told him that on the ground they are forging ahead with this?

The Deputy Prime Minister: It was the right hon. and learned Lady's party in government that rigged contracts with private sector providers, undermining the NHS and undermining NHS hospitals—a rigged contract with private sector providers to undermine the very ethos of the NHS. We are legislating to make sure that, once and for all, there is a level playing field in the NHS for everyone who is providing care to the British people.

T3. [56976] **Gavin Barwell** (Croydon Central) (Con): Just 30,000 of the 5.5 million British citizens living overseas are registered to vote. What plans do the Government have to make it easier for them to register and to lengthen the election timetable so that those who do register can vote by post?

The Deputy Prime Minister: I think there is a strong case for lengthening the election timetable to address that issue. We are looking at the matter in detail and will come forward with proposals as soon as we can.

T5. [56978] **John Cryer** (Leyton and Wanstead) (Lab): The Deputy Prime Minister has made it clear that he is prepared to see Liberal MPs and peers veto the Health and Social Care Bill. Given that, why did he sign the foreword to the health White Paper?

The Deputy Prime Minister: The principles of the White Paper were less bureaucracy, more patient-centred health, greater control for people who know patients best so that they can decide where money circulates in the system, greater accountability, and less centralisation. First, those are worthwhile reforms. Secondly, they build on many of the reforms that the Labour party introduced when in government. If the hon. Gentleman and his colleagues were more honest, they would back our attempt to listen to the British people and reform the NHS so that it is safeguarded for future generations.

Mr Speaker: Order. I am sure no one is suggesting that any right hon. or hon. Member would be dishonest in this Chamber. *[Interruption.]* Order. I take that as read.

T4. [56977] **Charlie Elphicke** (Dover) (Con): Did not the Government inherite an unreformed, unwieldy, unaccountable health service that was partly privatised, and are not these reforms necessary to secure the future of the health service for the next generation?

The Deputy Prime Minister: I strongly agree with my hon. Friend. Opposition Members simply cannot get their heads around the fact that this Government are prepared to listen. We are prepared to listen to doctors, nurses, consultants and patients. What is more—this is something the Labour Government never did—when we think we can improve our proposals, we are prepared to do so.

T6. [56979] **Graham Stringer** (Blackley and Broughton) (Lab): The Deputy Prime Minister has repeated ad nauseam that the commitment to reform the House of Lords was in all three parties' manifestos. [HON. MEMBERS: "It was."] Of course it was. Does that not mean that the electorate did not have the choice to vote for somebody who did not want to reform the House of Lords? Is there not therefore a strong case for a referendum on this issue, which is much more important than AV?

The Deputy Prime Minister: A seriously surreal doctrine is emerging. The hon. Gentleman was unable to persuade his colleagues to exclude the issue from the manifesto, so he wants to circumvent the manifesto on which he stood at the last general election by way of a referendum.

T7. [56980] **Jesse Norman** (Hereford and South Herefordshire) (Con): I know that the Deputy Prime Minister shares my view that the influence of lobbying can cause serious defamation to the democratic process. Will he update the House on the status of his register of lobbyists?

The Deputy Prime Minister: The Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Forest of Dean (Mr Harper), has announced in the House that we are consulting on that matter. We hope that the consultation will proceed during the summer to meet the objective in the coalition agreement of creating a register of lobbyists.

T8. [56982] **Stella Creasy** (Walthamstow) (Lab/Co-op): Will the Deputy Prime Minister update the House on the discussions he has had with his Government and party colleagues on the circumstances in which parliamentarians should be above the rule of law?

The Deputy Prime Minister: I do not think that anyone should be above the rule of law. If we do not like the law in this place, we should act as legislators to change the law, not flout it.

T10. [56984] **Mr David Amess** (Southend West) (Con): Given that the Deputy Prime Minister's proposals for House of Lords reform were not met with total acclaim last week, will he reflect on the points that have been made last week and this week, and try to seek consensus on the issue? To invoke the Parliament Act would be a most unwise move.

The Deputy Prime Minister: I do not think that any proposal to reform the other place has been met with total acclaim for as long as the matter has been discussed, which is more than a century. That is the nature of the issue. There are strong feelings on all sides of the debate and, let us be frank, some strong vested interests who do not want to see any change. That is why we want to establish a Joint Committee of both Houses. I could not agree more with my hon. Friend that, where possible, we should proceed on a cross-party basis on something as significant as this.

T9. [56983] **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): Under the Government's proposals, Newcastle will have a mayor and a police commissioner imposed on it by London. Given that the people of Newcastle recently voted overwhelmingly for a Labour council to replace a Lib Dem one, does the Deputy Prime Minister agree that the democratic voice of the people of Newcastle is loudly against wasting money on such vanity projects?

The Deputy Prime Minister: I do not think there is anything wrong with asking people to vote for more representatives, particularly on issues as important as policing. The basic principle of enhancing and increasing accountability, and of enriching our democracy by giving people more opportunity to express their opinions at the ballot box, seems to me a good one.

T13. [56987] **Eric Ollerenshaw** (Lancaster and Fleetwood) (Con): Given the announcement that Anglican bishops will remain in the newly reformed House of Lords, does the Deputy Prime Minister have any ideas about representation for other Christian groups, and indeed other faiths?

The Deputy Prime Minister: One of the options that we have set out in detail in the draft Bill is indeed continued representation, if on a much reduced numerical basis, of what is after all the established Church in England. That is clearly what distinguishes it from other faiths in England.

T11. [56985] **Kerry McCarthy** (Bristol East) (Lab): During the Oldham East and Saddleworth by-election earlier this year, the Deputy Prime Minister said about the newly opened Tesco in Greenfield that we needed to

> "keep our high streets diverse, and make sure that we support small shops as well as big ones".

Why, then, did his party vote against Labour's new clause 29 to the Localism Bill, which would have required councils to include a retail diversity scheme in their local development framework?

The Deputy Prime Minister: We feel that the provisions in the Localism Bill, which give local communities an ability to express their views on what they want to happen in their neighbourhoods to an extent that did not exist for the 13 years under Labour, are sufficient to meet precisely the demand that the hon. Lady makes.

Sir Menzies Campbell (North East Fife) (LD): Does my right hon. Friend agree that any discussion of the West Lothian question, and therefore of the role of Scottish MPs in this place, would necessarily have to include the position of Welsh MPs and those from Northern Ireland, where there are also devolved forms of government?

The Deputy Prime Minister: That is one of the many questions that we are now considering in advance of making an announcement about the establishment of the commission to look into the West Lothian question, which we will do during the course of this year.

T12. [56986] **Alun Michael** (Cardiff South and Penarth) (Lab/Co-op): The Deputy Prime Minister has just said that he is in favour of the public having more people to vote for. Has he read the *Hansard* proceedings of last week's debate in Westminster Hall, in which Conservative, Labour and Plaid Cymru MPs criticised the fact that the relationship between Wales and Westminster was being put at risk by the cut in representation from 40 MPs to 30? Only Liberal Democrats seem willing to defend that policy. Is he ready to repent, or has he given up on Wales?

The Deputy Prime Minister: What I have not given up on is having a system of election that is fair. I do not think it is right or fair to have some Members of the House representing far, far fewer constituents than colleagues in other constituencies. The principle that all of us should represent roughly the same number of people seems to me a basic one.

Mr David Evennett (Bexleyheath and Crayford) (Con): What steps is my right hon. Friend taking to review the effectiveness of the current methods of electoral registration, and to assist all councils to maximise the number of people on the electoral register?

The Deputy Prime Minister: We are planning to legislate to introduce individual electoral registration, which of course is intended principally to deal with cases of electoral fraud. At the same time, we hope to pilot in the coming months new schemes to compare the electoral register with other publicly available databases, so that electoral registration officers can go out to communities in which they are active and ensure that if people are missing on one database, they can be included in the other.

T14. [56988] **Bill Esterson** (Sefton Central) (Lab): The Deputy Prime Minister told my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) that there would be no privatisation of the NHS. I will give him another chance. Will he oppose part 3 of the Health and Social Care Bill, or are his comments just meaningless words?

The Deputy Prime Minister: There is a world of difference between allowing patients greater choice and ensuring that there is diversity in how the best health care is provided to patients, and any sell-off of the NHS to bargain-basement bidders, which we have ruled out. There will be no privatisation of that kind whatever under this Government's plans.

Jacob Rees-Mogg (North East Somerset) (Con): I wonder whether the Deputy Prime Minister has noticed that if proportional representation is used for a reformed House of Lords, the Liberal Democrats will almost always hold the balance of power in the other place. Does he intend to make being Deputy Prime Minister a job for life?

The Deputy Prime Minister: As the hon. Gentleman knows, in a House of Lords without any elections of any description whatever, no party has an overall majority in any event, so a balance of power in a reformed House of Lords is no different from the status quo.

Mark Durkan (Foyle) (SDLP): If, as the Deputy Prime Minister told us last week, the main role of a reformed House of Lords will be as a revising Chamber, why does he propose that people should be appointed under prime ministerial patronage as Ministers and Members of that House? Would it not be better if nobody could sit as a Minister in that House? Would not that properly differentiate the role of this Chamber from that one?

The Deputy Prime Minister: We looked at this very carefully and proposed, on balance, that a very small number of appointees should be Lords only for the time that they hold ministerial office. We need to ensure that Ministers are held to account in either this Chamber or the other place. We therefore felt it right to suggest that the Prime Minister retains a prerogative for a very small number of positions, so that for the limited time that those appointees are Ministers, they are accountable to the reformed House of Lords.

Mr David Burrowes (Enfield, Southgate) (Con): The Deputy Prime Minister has been a good supporter of my constituent, Gary McKinnon, and his case. He will recall that when the Prime Minister visited America, President Obama said that because of the unsurpassed special relationship between our countries, an appropriate solution would be found. Will the Deputy Prime Minister ensure that the case of Gary McKinnon is raised during the President's visit, and does he agree that the appropriate solution is to stop that extradition to the US?

The Deputy Prime Minister: I cannot anticipate exactly what will be said in those meetings, but I am sure the hon. Gentleman, and everybody who has followed the case with great interest over a long period, welcome the fact that the Home Secretary has made it quite clear that she is available to listen to new representations from Gary McKinnon, his family and his solicitors; that she will judge that new information against the impact on his human rights; and that she will make up her mind in a quasi-judicial form as soon as possible.

Mr George Howarth (Knowsley) (Lab): Will the Deputy Prime Minister explain how a second Chamber elected under a different voting system, some of whose Members could be elected for 15 years, and almost certainly on a different manifesto altogether, would improve the legislative process?

The Deputy Prime Minister: I always thought that the Labour party was against bastions of privilege and patronage. I thought that one of the founding principles of the so-called progressive party was that it believed that the British people should be in charge, not politicians in Westminster. Labour Members seem to be turning their backs, yet again, on one of their many long-standing traditions.

Mr James Clappison (Hertsmere) (Con): Does the Deputy Prime Minister think that the proposed new House of Lords will cost more or less than the existing one?

The Deputy Prime Minister: We want to reduce the number of people in the reformed House of Lords very dramatically—the draft Bill and White Paper that we published last week suggests 300 Members. Exactly what the cost will be depends, of course, on the proportions of elected and non-elected Members, so it is quite difficult to come up with precise estimates at this stage.

Rachel Reeves (Leeds West) (Lab): Good businesses in all our constituencies are being denied bank lending, and new data show that bank lending to small businesses is £2 billion short of the Government's targets. When will the Government show some backbone and take robust action on the banks?

The Deputy Prime Minister: That comes from a party that let the banks run completely amok, and a party that landed us with that problem in the first place! However, I totally agree with the hon. Lady on the Merlin agreement, which the Government have signed with the banks—it commits the banks to lending targets to businesses generally, and to small and medium-sized enterprises specifically. The agreement is in its very early days, but we have made it unambiguously clear to the banks that they must honour its terms. If they fail to do so, we will not be bound by our side of it either.

Mr Edward Leigh (Gainsborough) (Con): Does my right hon. Friend accept that many of us who have to support his and the Government's measures night after night cannot understand why, when the country is in such crisis, he is prepared to invoke the Parliament Act and gridlock essential legislation in the other place? Will he invoke the Tory principle of gradualism, ditch those radical proposals and come back with something much more modest?

The Deputy Prime Minister: I do not know what could be more gradualist than a proposal that would start in 2015 and not be complete until 2025. Many of the options for transition that we set out in the White Paper could not reasonably be accused of going too fast. We totally accept that a change on this scale, given that it has been discussed for more than 100 years, needs to be done carefully and incrementally.

Mr Dennis Skinner (Bolsover) (Lab): At the beginning of Question Time, the Deputy Prime Minister said that he was against "privatisation". Half an hour later he said that he was against "privatisation of that kind". A week used to be a long time in politics, but he has reduced it to half an hour.

The Deputy Prime Minister: I said there would be no privatisation of the NHS, and that is what I meant. There will be no privatisation of the NHS.

Jo Swinson (East Dunbartonshire) (LD): Will the Deputy Prime Minister reassure my constituents that the Government will resist any siren calls to water down the Equality Act as part of the red tape challenge?

The Deputy Prime Minister: I can certainly confirm that, as far as I am concerned, there will be no move to dilute incredibly important protections to enshrine and bolster equality in this country under the guise of dealing with unnecessary or intrusive regulation.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): If the Deputy Prime Minister is in listening mode, from where is he hearing a vote or voice calling for a House of Commons diminished in power and influence?

The Deputy Prime Minister: I ask the hon. Gentleman, as I ask all his Opposition colleagues: what is wrong with the basic democratic principle that those who create the laws of the land should be accountable to the millions of people who have to abide by the laws of the land? It used to be called democracy. It used to be something the Labour party believed in. I do not know why it is turning its back yet again on a progressive step towards further reform.

ATTORNEY-GENERAL

The Attorney-General was asked—

Domestic and Sexual Violence

1. **Diana Johnson** (Kingston upon Hull North) (Lab): What discussions he has had with ministerial colleagues on the provision of specialist domestic and sexual violence services to support prosecutions involving allegations of such offences. [56989]

The Attorney-General (Mr Dominic Grieve): I have not held specific discussions with ministerial colleagues on the provision of domestic and sexual violence services to support prosecutions. The Solicitor-General is a member of the inter-ministerial group on violence against women and girls, which is responsible for monitoring progress against its action plan. This action plan identifies the importance of support for victims of violence against women.

Diana Johnson: I know that the Attorney-General has recognised the importance of specialist services in pushing up prosecution rates. Does he share my concern about the cuts to these services up and down the country? If so, what is he doing about it?

The Attorney-General: It is worth bearing in mind the fact that the Department for Communities and Local Government has secured £6.5 billion of funding for the Supporting People programme, which will include accommodation for vulnerable people, including domestic violence victims, over the next four years. That equates to an average annual reduction over the four years of less than 1% in cash terms. In addition, I can reassure the hon. Lady that the issue continues to be a high priority for the Crown Prosecution Service and the police. The evidence to date suggests that despite the difficult financial climate, the success rate for prosecuting this type of offence continues to improve.

Mrs Eleanor Laing (Epping Forest) (Con): Will the Attorney-General agree that, contrary to recent media distortion, Members on both sides of the House take crimes of violence against women very seriously indeed? Will he further assure the House that the Government will continue to support alleged victims of rape and that he will do all he can to ensure that justice is done in cases that are often very difficult to prosecute?

The Attorney-General: I can assure my hon. Friend that that is the position. The provision of specialist co-ordinators and rape prosecutors, the issuing of stalking guidance and the effective monitoring of the measures we have put in place will continue. As I said in answer to the earlier question, the evidence suggests that the good work done by the previous Government is being successfully continued. I want to emphasise that both in terms of the volume of prosecutions and their success rate.

Crown Prosecution Service

2. **Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): What priorities the Crown Prosecution Service has set during the comprehensive spending review period. [56990]

8. **Gavin Shuker** (Luton South) (Lab/Co-op): What priorities the Crown Prosecution Service has set during the comprehensive spending review period. [56996]

The Solicitor-General (Mr Edward Garnier): The priorities are to provide a prosecution service of the highest quality, informed by its core quality standards, published in April 2010, which set the measures by which the CPS is judged by itself and others; to provide a more streamlined and efficient service, for example by making good use of all available technology; and, by working with the police and the courts, to eliminate unnecessarily bureaucratic systems, while at all times promoting justice.

Luciana Berger: I thank the Solicitor-General for his answer, but will he respond to the serious concerns of defence barristers and Victim Support about the CPS instructing single counsel for the prosecution, including for murder cases with multiple defendants, as a result of cost pressures?

The Solicitor-General: I do not know whether that is a direct result of cost pressures, but I, too, have raised this very matter with the CPS, and we are looking into it with some care.

Gavin Shuker: The cost pressures on the CPS over the coming period are leading it to prioritise cases such as those involving serious domestic or sexual offences. What cases will it have to de-prioritise to achieve those aims?

The Solicitor-General: In all prosecuting decisions, the CPS will look at the prosecutors code to see whether there is sufficient evidence and whether it is in the public interest to prosecute. It is not a question of picking one type of crime and not picking another.

Miss Anne McIntosh (Thirsk and Malton) (Con): I support the Government's drive for more prosecutions of rape. Will the Solicitor-General support my move to allocate a centre to North Yorkshire and York to help victims of rape? Were we to have such a centre—

Mr Speaker: Order. I am not sure that this is a priority of the Crown Prosecution Service, but the Solicitor-General can respond to the first part of the question briefly.

The Solicitor-General: I share my hon. Friend's concern about the way in which rape cases are currently prosecuted. As was stated in this House the other day, we want to bear down on the attrition rate. The conviction rate bears comparison with other aspects of the criminal system, but we want to ensure that rape victims can report their allegations to the police and that they are treated with care and sensitivity right the way through to what we hope is a conviction.

Mr Tom Watson (West Bromwich East) (Lab): The Prime Minister has said that it should be a priority for the CPS and the Metropolitan police to follow the evidence where it goes in the phone hacking scandal. Will the Minister say whether it is cost pressures at the CPS that have left the Metropolitan police reluctant to pursue the evidence of other private investigators involved in the illegal covert surveillance of British citizens?

The Solicitor-General: I do not think that that is at all true. The hon. Gentleman has taken a close interest in this matter and I have no criticism of him for doing that, but the relationship between the CPS and the Metropolitan police is entirely clear and constitutional, and will, as the Prime Minister has said, permit both to lead the investigation to where the evidence takes it.

CPS Advocate Panels

3. **Stephen Phillips** (Sleaford and North Hykeham) (Con): What plans he has to reduce the administrative burden on those completing references for candidates for appointment to Crown Prosecution Service advocate panels. [56991]

The Attorney-General (Mr Dominic Grieve): On 17 May 2011, the Crown Prosecution Service announced three changes to improve the reference process: allowing additional time by extending the deadline for applications by two months; removing the requirement for a minimum number of judicial references; and allowing references to be submitted directly to the CPS, rather than via the candidate.

Stephen Phillips: I am most grateful to my right hon. and learned Friend for that answer, but he will probably know that the completion of such references—indeed, the entire process—places a considerable burden on the judiciary and others. Will he undertake to ensure that a rather more simplified procedure is applied the next time such an exercise is undertaken?

The Attorney-General: As my hon. and learned Friend will be aware, the issue is ensuring that the panels prepared by the CPS are of a high quality, and are able to provide both sustained support to the CPS and regular work to the barristers who are on them. I have to say that I do not agree that the forms are particularly onerous to fill in. A form requiring somebody to provide between 100 and 300 words of reference does not seem to me to be onerous. Many judges are very happy to fill it in, but there are always lessons to be learned from any process of change, and I will bear in mind his comments.

Anna Soubry (Broxtowe) (Con): Does the Attorney-General agree that there is widespread concern among the criminal Bar about the new procedure, notably the fact that someone who is unsuccessful in applying for one grade is not allowed to apply for another? There seems to be no parity with CPS in-house advocates.

The Attorney-General: The process of evaluation of CPS in-house advocates is at present extremely complicated, and rather thorough. I do not think that it could be satisfactorily extended to the independent Bar. Discussions on the panels' structure are continuing between the Director of Public Prosecutions, the Bar Council the Criminal Bar Association and the circuits, and I am rather confident that they will find a satisfactory solution. I would like to emphasise, however, that the provision of those services by the independent Bar in future is dependent on having an effective panel system in which there is widespread confidence.

Forced Marriage

4. **Emma Reynolds** (Wolverhampton North East) (Lab): What recent discussions he has had with the Crown Prosecution Service on the prosecution of cases involving allegations of forced marriage. [56992]

10. **Mrs Mary Glindon** (North Tyneside) (Lab): What recent discussions he has had with the Crown Prosecution Service on the prosecution of cases involving allegations of forced marriage. [56998]

The Solicitor-General (Mr Edward Garnier): I have had no recent discussions with the Crown Prosecution Service on forced marriages, but I shall have one of my regular meetings with the director later today, at which I have no doubt the matter will be discussed. The CPS and the Law Officers are studying the Home Affairs Committee's report on forced marriages, and the Government will respond to it in due course.

Emma Reynolds: I thank the Minister for his answer. Forced marriages are an appalling abuse of human rights and have no place in modern society. May I press him further on the subject of the Home Affairs Committee's report and ask whether the Government will consider legislating to make forced marriage a criminal offence?

The Solicitor-General: I am sure that the Government will, but it will essentially be a matter for the Home Office and the Ministry of Justice to consider. The matter was considered by the previous Administration. The Labour Government held a consultation via the Home Office in 2005, and announced in 2006 that, on balance, they did not consider that it would be advantageous to turn forced marriage into a criminal offence. The Select Committee's report is now available for us all to consider, and the Government will come back to the House with their response.

Mrs Glindon: Forced marriage and associated crimes are already thought to be chronically under-reported. Will the Minister explain how 25% cuts to the CPS's budget will enable more, rather than fewer, victims of forced marriage to come forward?

The Solicitor-General: The most essential thing in this area of the criminal law, as in any other, is to encourage people who have been affected to come forward with evidence, because it is upon evidence that we can bring prosecutions. I can assure the hon. Lady that neither the Attorney-General nor I is in the least bit reluctant to encourage the prosecution of people who have committed crimes. The CPS works hard to ensure that women, in particular—forced marriage cases principally involve women, but about 17% of those affected are men—are properly protected by the law of England, and we will endeavour to ensure that they are.

Fraud and Economic Crime

5. **Karl Turner** (Kingston upon Hull East) (Lab): What steps he is taking to maintain the capacity of the Serious Fraud Office to investigate and prosecute economic crime during the comprehensive spending review period. [56993]

6. **Steve McCabe** (Birmingham, Selly Oak) (Lab): What steps he is taking to ensure the effective prosecution of cases involving fraud and economic crime. [56994]

7. **Lisa Nandy** (Wigan) (Lab): What steps he is taking to maintain the capacity of the Serious Fraud Office to investigate and prosecute economic crime during the comprehensive spending review period. [56995]

The Attorney-General (Mr Dominic Grieve): The Serious Fraud Office will meet the requirements of the comprehensive spending review by making efficiency savings in all areas of its business and ensuring that its budget is focused on its core activities of investigating and prosecuting crime. The Crown Prosecution Service also recognises the need to ensure that fraud and economic crime are prosecuted effectively and efficiently. Its structure ensures that cases requiring input and direction by specialist prosecutors are dealt with rigorously.

Karl Turner: The director of the Serious Fraud Office has said:

> "My concern has always been if investigations and prosecution powers...are split, the fight against complex economic crime will be damaged."

Does the Minister share those concerns? If so, why are this Government insistent on letting dodgy bankers off?

The Attorney-General: I am not quite sure that I see the direct correlation between the second part of the hon. Gentleman's question and the first. On the structure of the Serious Fraud Office, it is certainly my opinion that the present structure has been successful in delivering growing effectiveness in dealing with serious and complex fraud. The director has an important point to make. The Government are discussing how they can achieve the best structures for dealing with serious and complex crimes of all kinds, and discussions are taking place on how the Serious Fraud Office will fit into that structure. I can assure the hon. Gentleman that the point that he has raised is very much in the Government's mind.

Steve McCabe: Nevertheless, the director of the Serious Fraud Office has major concerns. If the Attorney-General is determined to pursue this route, what assurance can he give the House that the impact of the change on complex crime prosecutions will be monitored, so that it does not have the effect that my hon. Friend the Member for Kingston upon Hull East (Karl Turner) is concerned about?

The Attorney-General: The hon. Gentleman pre-judges a decision that has not been made. It is sensible within government for discussion to take place on how to improve the services, including prosecution, that the Government deliver. My point in reply to the earlier question was that the director has an important role in contributing to that debate, and I am sure that his views will be listened to very carefully. I certainly listen to them very carefully indeed.

Lisa Nandy: In his previous question session, the Solicitor-General told the House that the UK's international reputation on tackling corruption would be safeguarded by his getting on with his job. Will he therefore explain how he expects staff at the SFO to get on with their crucial jobs in the face of 50% budget cuts and the separation of its investigation and prosecution functions?

The Attorney-General: The first point to make is that the Serious Fraud Office is getting on with the job very effectively indeed. During 2010-11, it took 17 complex cases to trial with at least one conviction in every case; 31 defendants, both corporate and individual, went to trial, of whom 26 were found guilty, giving a conviction rate of 84%. That is an extremely good rate, and I wish to see it continued and built on. I have every confidence in the professionalism of the Serious Fraud Office and in its dedicated staff in delivering its service. I have every confidence that they will be able to do so in the future as well.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): As *The Times* reports today, the Government's proposals on serious fraud and international corruption are in total disarray. First, there was dilly-dallying over the Bribery Act 2010 and now there are trailed press reports on dismantling the SFO. Are the Government following the trend and going soft on economic crime? When will a statement on the SFO's future be made, and will the Attorney-General confirm that it will be made first on the Floor of the House?

The Attorney-General: I have no doubt at all that it will be made first on the Floor of the House, but I entirely disagree with the hon. Lady's premises. The position is very straightforward. The SFO is doing a good job, but I think everybody agrees that we need to see ways of improving the fight against economic crime. To take the hon. Lady's point to its logical conclusion, there should be no discussion in government or anywhere else about such structures because doing so might raise some uncertainty. I simply do not share that view. I am confident that we will come out with the correct outcomes and that they will enhance our capacity to deal with economic crime generally. *[Interruption.]*

Mr Speaker: Order. I was trying to indicate gently that the hon. Member for Kingston upon Hull East (Karl Turner) must not leave before the question has been concluded. I am sure that he is enjoying the exchanges.

Jim Shannon (Strangford) (DUP): In parts of the United Kingdom, there is widespread organised criminal activity. During the comprehensive spending review, what assurance can the Minister give us that those involved will not be able to gain yet more from their illegal and ill-gotten deeds and activities?

The Attorney-General: The hon. Gentleman makes a very important point, perhaps missed by other questioners —that there are different kinds of economic crimes, some of which move into serious organised crime as well. That is why it is so important for the Government to give this matter a high priority. As I said to the hon. Member for Newcastle upon Tyne North (Catherine McKinnell), that is precisely why my right hon. Friend the Home Secretary and others, as well as me, have been focusing on how to deliver the best outcome to cover the sort of thing that the hon. Member for Strangford (Jim Shannon) has spoken about, while also ensuring that the financial end of serious crime is tackled correctly. I am very confident that we are going to come up with the right solutions.

Mr Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): Will the Attorney-General assure us that the Serious Fraud Office will not be swallowed up by the national crime agency, relegating fraud and corruption to third place after terrorism and organised crime?

The Attorney-General: I am absolutely confident— because of my own commitment and that of my fellow Ministers to this matter—that the area of crime the right hon. Gentleman identifies is of the highest priority to the Government. That is precisely why it is being discussed. I can reassure him—and I will stand by it when the time comes for announcements—that the outcome will commend itself, I hope, widely across the House.

Transnational Bribery

9. **Hugh Bayley** (York Central) (Lab): When he last met the Director of the Serious Fraud Office to discuss the investigation and prosecution of transnational bribery. [56997]

The Solicitor-General (Mr Edward Garnier): I hold monthly meetings with the director of the Serious Fraud Office to discuss all aspects of the SFO's work, including transnational bribery. As the hon. Gentleman will know, the Bribery Act 2010 comes into force on 1 July and the SFO is well prepared for it.

Hugh Bayley: I was reassured by some of what the Attorney-General said in reply to an earlier group of questions. Richard Alderman is a very talented civil servant who has greatly improved the performance of the SFO, but I believe that that improvement is threatened by the proposal to break the SFO into an investigating arm and a prosecuting arm. It appears that the Law Officers are currently having an argument with the Home Office about the matter. The House clearly supports the Law Officers. May I have an assurance that even if the nature of the SFO changes, the prosecuting and investigating arms of whatever new agency takes over will be kept under one roof?

The Solicitor-General: I thank the hon. Gentleman and agree with his assessment of the SFO's director, Mr Richard Alderman, who has proved to be a loyal and dedicated public servant and prosecutor in whom the Attorney-General and I have the utmost confidence.

I am delighted by the hon. Gentleman's support for the Law Officers. We accept whatever support we can whenever we can get it. On that basis, I will quit while I am ahead.

Libya

12.31 pm

Mr Jim Murphy (East Renfrewshire) (Lab) *(Urgent Question)*: To ask the Secretary of State to update the House on military deployments in Libya.

The Minister for the Armed Forces (Nick Harvey): Pursuant to United Nations Security Council resolution 1973, NATO-led air strikes have been successful in reducing Colonel Gaddafi's ability to attack his people, but he continues to target civilians in clear contravention of UN Security Council resolutions and international law. As the Foreign Secretary has said, it is now necessary to intensify the military, economic and diplomatic pressure on the Gaddafi regime.

We constantly review our military operations to ensure that we can continue to enforce UNSCR 1973 and prevent Gaddafi from attacking the Libyan people. Attack helicopters are one tool for that purpose, and the use of such helicopters is one of a range of capability options under consideration. However, I stress that no decision has yet been made about whether to use our attack helicopters in Libya. We will keep the House informed as decisions are made.

Mr Murphy: Thank you for allowing the urgent question, Mr Speaker.

The Opposition have always made it clear that we support the stated aims of the military operation in Libya: to enforce UN Security Council resolution 1973, to protect Libyan civilians, and to implement a no-fly zone. We have also made it clear not just that we support the Government and the UN mandate, but that it is crucial for Parliament to have an opportunity to scrutinise Government decisions and the campaign in Libya.

Yesterday *Le Figaro* reported that 12 French helicopters had been dispatched to Libya on 17 May. There was no comment from the Ministry of Defence other than

> "we are constantly reviewing our options",

but the French Defence Minister, Gérard Longuet, said:

> "The British, who have assets similar to ours, will also commit…The sooner the better is what the British think."

Is that an accurate statement by a French Minister of the British Government's policy on Libya? The British people will be desperately concerned that French Ministers seem to know more about the deployment of British military equipment than the British Parliament.

Parliament has not written the Government a blank cheque on Libya, and Ministers should never keep the British public in the dark about major deployments. This is a serious moment, and it would be a serious escalation if such a commitment were to be made. Parliament should never be kept in the dark.

I want to ask the Minister a number of questions. First, why have discussions about an escalation of such magnitude with our French partners and colleagues reached such an advanced stage without Parliament being allowed even the courtesy of discussion or scrutiny? Secondly, will the Minister go into more detail about the situation on the ground which is leading Ministers at least to consider—and, in a private conversation with the French, to confirm—this military commitment? Thirdly, if this were to happen, would the operational allowance be extended to those serving in and around Libya in the same way as in respect of Afghanistan? Fourthly, does the hon. Gentleman agree with the *Defence Analysis* estimation that the cost of the conflict could be £1 billion by September? Finally, will he say more about the UK's military capability to maintain the current tempo, and have the Government decided to order further Brimstone?

Parliament thought long and hard about whether to commit military force over Libya on behalf of the United Kingdom. The House sought in good conscience to take a deep and significant decision about our nation, and now we are expected simply to wave through a possible major escalation in military commitment without a proper debate in Parliament. It is utterly unacceptable that the UK Parliament has to be informed about a possible deployment of UK forces by the French Defence Minister.

On this complicated issue, the Government need to provide greater clarity. On behalf of this Parliament and those who voted for this conflict, which we support—and, indeed, on behalf of those who voted against the conflict—Parliament is right to demand that decisions such as this one are announced in this Parliament, debated in this Parliament, scrutinised in this Parliament, and should never be kept from Parliament again.

Nick Harvey: The right hon. Gentleman quotes the French Minister, and my understanding is that the French have indeed taken a decision to deploy their attack helicopters in Libya. I state again for the avoidance of all doubt that no such decision has been taken by the United Kingdom. It is an option that we are considering, but no decision has been taken, and there is absolutely no sense in which it is true to say that we have kept Parliament in the dark about a decision that we have taken.

I do not accept that if we were to take the decision to use attack helicopters at some point in the future, that would be an "escalation" of what we are doing in Libya. The targets would remain the same; it would simply be a tactical shift in what assets we used to try to hit those targets. The right hon. Gentleman asks why we would consider doing this, and what would be the military logic of contemplating using attack helicopters. The principal advantage it would give us over the air assets we are currently deploying is the ability to strike moving targets with greater precision.

The right hon. Gentleman asked about the costs. I do not recognise the figure he gives. It is not possible to compute in real time a figure, but I say to him again that the Chancellor of the Exchequer has made it clear that the cost of this operation will be met by the reserve.

The right hon. Gentleman asked about maintaining the momentum. We keep our stocks under regular review, including specifically of Brimstone. We are content that we can keep going for the foreseeable future, but we will have to make adjustments as time goes on and calculate whether it will be necessary to increase our stocks.

On the operational allowance, the arrangements will remain as they are, but we are looking into the possibility of extending special consideration for those who would not meet the normal criteria.

The Government have been doing their utmost to ensure that the House is kept informed about what is going on. There have been debates and questions, and we have given several briefings, and if the right hon.

Gentleman feels at any stage that he needs more information, he needs only to ask and we will do everything we can to afford him that information. We are involved in a military operation, however. We have to consider from time to time the tactics we are using, and you will understand, Mr Speaker, why we would not do so in advance on the Floor of the House. Apart from anything else, telling the enemy exactly what we are up to would be a very unusual strategy. As soon as decisions are taken, however, we will ensure that Parliament is informed.

Nicholas Soames (Mid Sussex) (Con): I thank my hon. Friend for his statement. If the Apache helicopter were to be deployed, that would be entirely appropriate, particularly given the Gaddafi forces' change in tactics, and the requirement to have a highly effective machine that can lurk and deal with the hard-to-find targets. What steps would need to be taken to marinise the Apache if it were to be operating off-carrier?

Nick Harvey: I agree with my hon. Friend that we are right to consider this in pursuance, as I said, of UNSCR 1973. Gaddafi and his regime remain a real threat to the civilian population in Libya and if we were to take a decision to use an attack helicopter, it would be in pursuit of that resolution. Such helicopters give us a greater ability to pinpoint targets, we are able to operate them from HMS Ocean or other maritime assets, and there is no need for any specific adaptation in order to do that.

Mr David Winnick (Walsall North) (Lab): Like many others, I am very concerned about the massive air raid that took place last night, which will inevitably cause civilian casualties, although I entirely accept that the Gaddafi regime will try to make as much propaganda of it as possible. Is the Minister aware that there is an increasing feeling that, despite denials, resolution 1973 is being used for regime change? I emphasise again that regime change is totally outside international law.

Nick Harvey: We are very familiar with the terms of UNSCR 1973, which remains absolutely our abiding objective. I recognise that there are risks inherent in whatever military options we take, but let me reassure the House that we are doing our utmost, and so are our NATO allies, to ensure that there is no loss of civilian life. The hon. Gentleman is right to say that that is in sharp distinction to the Gaddafi regime, which is retaining that loss as its objective and is continuing to cause it. We are there to prevent it from doing so.

Sir Menzies Campbell (North East Fife) (LD): May I sympathise with the Minister's reluctance to permit a running commentary on operations in Libya, for the reasons that he has outlined? Were Apache helicopters, which carry missiles, to be deployed, how would that be different in principle from the use of fast jets carrying missiles?

Nick Harvey: I entirely agree with my right hon. and learned Friend: the objective and the targets would remain exactly the same, but we would have at our disposal a weapon with a greater degree of precision, which is better able to hit targets, including moving ones, and with a lower risk of collateral damage. This would be a tactical switch from using one asset to using another, which is why I do not believe it would constitute an escalation, but I repeat that no such decision has, as yet, been taken. The French have taken a decision and announced it. We have not taken that decision, but I confirm that it is an option we are considering.

John McDonnell (Hayes and Harlington) (Lab): This decision, if it is made, would make a qualitative difference to the strategy, because it would mean a greater risk to British service personnel. For that reason, the Government should seek not only a debate on the Floor of the House, but a renewed vote to sanction any such measure. May I also ask the Minister what efforts are being made, again, to get a negotiated settlement to this war?

Nick Harvey: I do not agree with the hon. Gentleman. The use of attack helicopters in contested territory is certainly inherently dangerous—about that there can be no doubt—but they have been used elsewhere very effectively and those dangers have not had a deadly effect. I repeat that this is a consideration of using another tactic; this is not a step change in what we are doing. The suggestion that while we are in the course of operations we would come to the House of Commons for a full debate and a fresh resolution every time we took an operational tactical decision is not realistic, and I do not think it would be justified.

Mr James Arbuthnot (North East Hampshire) (Con): As I ordered the attack helicopters, I am rather disappointed to hear that no decision has been taken on their use. I agree entirely with the Minister that firing a missile from a rotary-wing aircraft as opposed to a fixed-wing aircraft is not an escalation, but does he agree that this decision would also help to address another issue of increasing concern, which is the airframe hours left in the Tornados? That matter is worrying a number of people.

Nick Harvey: I congratulate my right hon. Friend on having placed that order, because the Apache helicopter has proved itself in Iraq and Afghanistan over the years since then. It is useful that it is at our disposal for consideration at this time. I agree that sharing the duties out across our air assets will better enable us to sustain them over a period of time. I repeat that no decision to do that has been taken.

Chris Bryant (Rhondda) (Lab): The trouble is that if the Government's aim is not regime change, we are basically at stalemate. The worry for many of my constituents is how long that stalemate will go on.

Nick Harvey: I do not accept that we are at stalemate, as I believe recent events in Misrata have demonstrated. The situation is still dynamic and fluid and we have to respond to the situation on the ground by making tactical decisions. The consideration of whether we should use attack helicopters will be informed in no small part by the tactical call of those closest to it, who make the judgments about what we face.

Mark Lancaster (Milton Keynes North) (Con): May I remind the House of my interest as a member of the military stabilisation support group? Will the Minister update the House on the post-conflict reconstruction

[Mark Lancaster]

planning and, crucially, does he believe that it will require a further UN resolution to implement it effectively?

Nick Harvey: We already have a stabilisation unit in Benghazi preparing the ground for the post-conflict situation. We would expect the UN to play the leading role in co-ordinating that and there might well be an appetite for EU involvement, too. We are laying the ground as best we can but we are taking these things a stage at a time. The overriding priority at the moment remains preventing Gaddafi and his regime from attacking civilians in Libya.

Ann Clwyd (Cynon Valley) (Lab): According to the latest statement from the International Committee of the Red Cross, there is a growing humanitarian crisis on the ground. What can we do to address that?

Nick Harvey: There are certainly immense humanitarian difficulties in various parts of Libya, the most obvious example being Misrata. We were among several nations in sustaining the pressure to get supplies and relief into Misrata. There has been some success with that operation, but one does not want to overclaim on that. It remains an overwhelming priority to ensure that we can relieve humanitarian suffering by all means possible.

Mr John Baron (Basildon and Billericay) (Con): Whether or not we deploy attack helicopters, the fact that a key NATO ally has represents, in my view at least, a significant escalation in this conflict and reinforces the point that regime change has been the objective of our intervention. Given the air strikes and this latest news, at what point does the Minister believe that our actions on the ground will cross the line as regards UN resolution 1973?

Nick Harvey: My hon. Friend refers to operations on the ground and asks at what point they would cross UNSCR 1973. What was specifically prohibited was a landing and occupying force and I do not see that one can in any way compare the use of attack helicopters to take on moving targets with a landing and occupying force. We are talking about two completely different things. The French have, as I understand it, taken the decision to use attack helicopters, although I do not believe that they have as yet started in practice to do so. I do not accept, for the reasons I set out earlier, that that would constitute an escalation of the conflict in Libya. It would be a tactical shift in the way we were pursuing it.

Mike Gapes (Ilford South) (Lab/Co-op): The House is going into recess today and will not resume until 7 June. Given that the Minister has said on several occasions that no decision has been made, can he tell us, first, why the French Defence Minister thinks a decision has been made and, secondly, when this House will know when a decision is made, if it is?

Nick Harvey: I cannot comment on what the French Minister has said, but I absolutely assure the hon. Gentleman once again that we have not taken this decision and have not suggested to the French that we have taken it. I am aware that we are about to have a short recess, but it would be wholly unacceptable in my view artificially to accelerate a military decision in order to comply with the parliamentary timetable. If a decision is made it will be made according to military criteria and the operations will be conducted in the normal way. We will inform Members as soon as we can if any such decision is taken but I stress again that no such decision has been taken and I cannot anticipate that it will be taken on any particular timetable.

Mr Bernard Jenkin (Harwich and North Essex) (Con): May I assure my hon. Friend that he is entitled to plan military operations and discuss them with allies in private and that so long as he reports decisions to the House he will not have taken his country's name in vain in any manner at all? May I draw his attention to the fact that US Carrier Strike Group Two will be visiting Portsmouth this weekend and then proceeding to the Mediterranean? Will President Obama be included in these discussions about military options in Libya, because we either have to break the stalemate or broker a peace?

Nick Harvey: I thank my hon. Friend for his initial remarks. He is absolutely right that, as my right hon. and learned Friend the Member for North East Fife (Sir Menzies Campbell) said, it would not be appropriate to keep up a running commentary throughout an operation on the tactical decisions we might take. The French have taken a decision and have seen fit to put that into the public domain and that is entirely a matter for the French. So far as the Americans are concerned, it is certainly the case that during President Obama's visit we will be discussing with him operations in Libya and Afghanistan as well as other world issues. My hon. Friend is entirely right that the US carrier strike group will be passing through the Mediterranean—I understand that is the intention—but these are things that we will keep discussing with allies. Let me say again that absolutely no decision has been taken.

Mr Dennis Skinner (Bolsover) (Lab): Has not this intervention been subject to mission creep ever since it began, as statements to the House have indicated? There has been a little bit of help here, the use of special forces there and further intervention. It is no surprise to me that the French, who initiated the intervention in the first place because of an election in France next year, are now telling the British Government what the next phase is. How many civilians, whom we were supposed to safeguard, have been killed by NATO forces? When will we reach £1 billion of expenditure on this intervention, which is paid for by the British taxpayer? Is it right what the media say that it will be at the end of this summer, or will it be even sooner?

Nick Harvey: We know for a fact that Gaddafi was on the verge of an absolute bloodbath in Benghazi and that if we had not intervened there would have been an absolute slaughter. In conducting this operation we have at all times done our utmost to minimise the number of civilian casualties, of whom there are far fewer than Gaddafi has killed and would have killed. I do not accept that there has been mission creep from UNSCR 1973 at all. It remains the case that we are prosecuting it to the best of our ability and it remains our overriding priority to reduce the risk to civilian life and the suffering of civilians. The best way in which that could be concluded would be for Gaddafi to comply with UN resolution 1973 and stop killing his own civilians.

Stephen Gilbert (St Austell and Newquay) (LD): I do not see this as an escalation but rather as a proper tactical response to a changing tactical situation on the ground that is in line with UN resolution 1973. We know from Afghanistan and Somalia that helicopters can be more vulnerable to attack than fixed-wing aircraft. What assessment has been made of UK search and rescue capability should one of our helicopters unfortunately be downed?

Nick Harvey: I thank my hon. Friend for his supportive remarks. It is inherently true that the use of attack helicopters in contested territory is dangerous, but we are deploying all our assets through NATO and if we were to decide to use attack helicopters it would be through NATO co-ordinated efforts, so the assets of other partner countries would be available to us to help defend them. We have experience of using Apache helicopters in contested territory and we have successful ways of minimising the threat to them, but it is an inherently dangerous business—there is no way of getting around that.

Thomas Docherty (Dunfermline and West Fife) (Lab): Will the Minister update the House on how many countries have now sent military advisers to Libya to help the rebels? Can he confirm who is responsible for co-ordinating their work?

Nick Harvey: We have sent some of our own advisers and they are working with the French. We co-ordinate that between us and they are the pre-eminent military advisers. There are some from other countries in that region but they are undertaking specific tasks in co-ordination with the British and French forces, so the predominant effort is Anglo-French and we are co-ordinating it between us.

Rehman Chishti (Gillingham and Rainham) (Con): I welcome the Minister's statement. Will he clarify what the assessment is of the situation in southern Libya, bordering Chad—an area with a huge amount of oil deposits?

Nick Harvey: The hon. Gentleman is right that there are huge oil assets to the south. I can only repeat that our objective in Libya is the protection of civilians, who we know are predominantly in the north and along those coastal stretches. The regime still has effective control over some of the oil assets to the south, but clearly its efforts to transport and export them have been significantly curtailed by the efforts of the coalition to implement UNSCR 1973.

Mr Tom Watson (West Bromwich East) (Lab): My understanding is that the French have publicly briefed the press that the National Security Council has taken the decision to deploy the helicopters. When the Minister says that the decision has not been taken, does he mean that there is a recommendation from the National Security Council awaiting rubber-stamping from the Prime Minister in order to get sign-off from the President for an announcement later in the week?

Nick Harvey: I really cannot be expected to justify what may or may not have been said by French Ministers giving briefings to newspapers. I repeat to the hon. Gentleman that no decision has been taken. No decision has been taken by the National Security Council and no recommendation is awaiting the Prime Minister's approval. It is an option that we are considering and at some point in the future we might decide to go down that route. If the French really have briefed in those terms they have clearly misunderstood the situation in the United Kingdom.

Stephen Phillips (Sleaford and North Hykeham) (Con): My hon. Friend has been clear that no decision has yet been taken to deploy ground-attack helicopters. May I ask him to assure the House that if such a decision were taken, it would in no way adversely affect our operations in Afghanistan?

Nick Harvey: I can indeed confirm that. There are currently Apache helicopters in the Mediterranean as part of exercise Cougar and if any decision were taken to use Apache helicopters in Libya, they would most likely be the ones used. That would therefore not have any impact on operations in Helmand.

Mr Andy Slaughter (Hammersmith) (Lab): Does the Minister accept that the more regime targets in Tripoli that are bombed and the more tactical weaponry that is employed on the side of the rebels, the more this appears, to the Arab world in particular, as a political rather than a humanitarian intervention?

Nick Harvey: The purpose of our being there is to carry out UNSCR 1973, the objective of which is to reduce the threat to civilian life. What the hon. Gentleman refers to as regime targets are in fact command and control targets—military targets. They are targets relating to the regime's ability to persecute its own civilians, so those are the targets we have been aiming to hit. I do not accept a narrative from that that regime change is the objective of the exercise. The aim is to prevent the regime from slaughtering its civilians and that will continue to be the aim.

Amber Rudd (Hastings and Rye) (Con): If the decision is made, will the Apache helicopters be allowed to land on Libyan soil?

Nick Harvey: I say again that this is simply an option that is being considered, and the detail of how exactly these things would be organised has not yet been worked up. It is not the intention that the helicopters would land. The intention is that they would be deployed, if at all, from naval assets, most probably from HMS Ocean, but that is the sort of detail that is being worked through at present as the option is worked up and considered. It certainly should not be inferred that there is any intention to use helicopters in order to land ground troops and take off in a different direction.

Nick Smith (Blaenau Gwent) (Lab): I endorse the Minister's emphasis on saving civilian lives. Can he update us on whether the Libyan electricity and water infrastructure has been damaged by bombing in recent weeks?

Nick Harvey: We have no grounds to think so. There are undoubtedly problems with electricity and water supplies in different parts of Libya for different reasons, but we have no grounds to believe that the actions of NATO or any of our allies have had that effect, and of course it is most certainly not our intention or objective to do anything of that kind.

Mr Edward Timpson (Crewe and Nantwich) (Con): What discussions has my hon. Friend had, or does he intend to have, with Arab League countries as part of the decision whether to deploy Apache helicopters?

Nick Harvey: If any decision were to be taken to go down that route, that would be discussed with Arab countries through the contact group. I stress to the House that the Arab League support for what we are doing in Libya remains strong, and we will consult our allies in the Arab League as we go along.

Graham Stringer (Blackley and Broughton) (Lab): The Minister's reason for withholding information from the House makes no sense at all. If French helicopters are attacking Gaddafi's forces, there is no tactical advantage to knowing that there will be British helicopters attacking with them; that gives no militarily useful extra information to Gaddafi. When he made the original statement, the Prime Minister gave a commitment to keep the House informed in detail. There should be a votable resolution on the matter because there has undoubtedly been mission creep towards an objective of regime change since the start of this war.

Nick Harvey: I am not withholding information from the House. There is no information to withhold. No decision to deploy attack helicopters has been taken, and if any decision is taken we will take steps to inform the House. The idea that we should have a votable resolution each time we make a tactical decision to use a different air asset is ludicrous.

Mark Durkan (Foyle) (SDLP): In his first answer the Minister spoke of the need to increase the military pressure on the Gaddafi regime, but subsequently refuted any concerns about escalation or regime change. As well as reporting to the House, under resolution 1973 any country or group of countries taking an action under that resolution must report it to the Secretary-General of the UN, who will then refer it to the Security Council. Have the latest actions been reported by France or on NATO's behalf, and does the Minister anticipate no concerns from any member of the Security Council that the resolution has been exceeded?

Nick Harvey: In my initial answer I was quoting the Foreign Secretary, who said, quite rightly, that we had to step up the pressure on the Gaddafi regime through military, economic and political-diplomatic channels. That is true. I do not, however, accept that there is any significant escalation or a broadening of our military objectives. It remains the case that our overriding objective is to prevent the threat to civilian life, and if there are different assets that different members of the international force working in Libya can bring to bear at different points in time, I do not think that such micro-operational decisions need bother the Secretary-General of the UN. However, if we were to shift focus significantly on what we were doing, that would be of a different order altogether, and the UN very well might be involved.

Mr Speaker: Order. I am grateful to the Minister of State and to colleagues.

Green Investment Bank

1.5 pm

The Secretary of State for Business, Innovation and Skills (Vince Cable): Today I am publishing detailed plans for a green investment bank, building on the announcements that the Deputy Prime Minister made yesterday. Copies of the document will be placed in the Libraries and will be available to download from the BIS website. I would like to take the opportunity from inform the House of these proposals.

The UK will be the first country in the world to create a bank dedicated to the greening of the economy. This Government are committed to ensuring that the UK makes a successful transition to a low-carbon economy. This will be a big challenge. The UK is committed by law to a 50% reduction in carbon emissions by 2025. Over the coming decades, much of the UK's energy, transport and waste infrastructure will have to be revolutionised or even rebuilt in order to achieve the ambition of decarbonised electricity, low-emission cars and an end to landfill. This transition will involve considerable costs, but also considerable benefits if new enterprise can seize the opportunities presented by the green economy. The task for our Government is to ensure that these benefits exceed the costs.

Vital to achieving a successful transition is the development of well-designed, long-term and stable policies. They are needed to provide the incentive for businesses to invest in new green infrastructure, which by its very nature repays the investment only over many years. To this end the Government have introduced a carbon price floor, proposals on electricity market reform, the green deal for energy efficiency in buildings, a major waste policy review and new initiatives to encourage the roll-out of electric vehicles.

However, the lack of available finance could be a limiting factor. Detailed research and market analysis have established the need for an institution to address market failures that are constraining the flow of finance. The proposals published today set out a vision for a new and enduring institution—the world's first dedicated national green investment bank—to complement the existing policy landscape.

The green investment bank's mission will be to accelerate private sector investment, with an initial remit to focus on relatively high-risk projects that are otherwise likely to proceed slowly or not at all. It will work to a "double bottom line" of both achieving significant environmental impact and making financial returns delivering value for money. It will also operate independently and at arm's length from Government, who will agree its strategic long-term priorities. Initial market analysis suggests that the early contenders to be priority sectors for the bank are offshore wind, industrial energy efficiency and waste, but a wider range of energy and other activities could become relevant over time.

The new institution will need to comply with state aid rules. Therefore, the proposals that I am publishing today will need to be approved by the European Commission before we can establish the bank. The time to act is now, so in order to make rapid progress, from April 2012, my department will start to make direct, state aid-compliant investments in green infrastructure projects. Investments could be in the form of equity, subordinated debt or senior debt on a pari passu basis. In due course, we will transfer these investments to the new institution.

I am also creating a green bank advisory group, comprising independent finance experts, who will advise Government on the setting up and strategic direction of the new institution. Sir Adrian Montague has very kindly agreed to chair this advisory group.

As the Chancellor set out in the Budget this year, the initial capitalisation of the GIB will be £3 billion and the bank will invest with and through the private sector and tackle risks that the private sector cannot adequately finance. In this way, the bank will mobilise projects significantly in excess of the Government's contribution. With the funding provided in this Parliament the GIB could mobilise an extra £15 billion of private investment. We do not envisage that this level of activity will require a large institution—an estimated 50 to 100 professional staff during this Parliament. Proposals have been made to locate the headquarters in, among others, London, Edinburgh and Bristol, and a decision will be taken in due course based on their ability to deliver the aims of the bank.

The Government will enable the GIB to have borrowing powers from 2015-16 and once debt is falling as a percentage of GDP, which will allow it to scale up its operations significantly at a time when the financing need is greatest. We are not seeking at this stage to be prescriptive about which form borrowing should take or, more generally, about the bank's products or structure. Once state aid approval is achieved, we will move to enshrine the institution's enduring status in legislation.

In conclusion, setting up a bank of this kind is a major undertaking. There is much work to be done to build and grow the green investment bank, and the Government look forward to updating the House on further milestones in future.

Mr John Denham (Southampton, Itchen) (Lab): I thank the Secretary of State for his statement, but although the Deputy Prime Minister announced this policy yesterday and the statement was timed for 12.30 pm today, I had not received a copy by 10 minutes to 1, and did not receive it until five minutes to 1.

A successful green investment bank can make a significant contribution to developing low-carbon technologies and enabling British companies to succeed in the low-carbon green technology markets of the future. That is why the green investment bank was in Labour's manifesto. Will the Business Secretary confirm that it has taken a year of infighting to get to this stage? Is it not true that the Government are at odds over green policy, and will he confirm that only a month ago he tried to block the adoption of the carbon emissions targets announced this week? So much for "the greenest Government ever"!

Progress is welcome, but have the Government not already taken a series of decisions that have damaged investment in green technologies and activities? Did they not set feed-in tariffs that encouraged many investors into green energy and then suddenly change the rules, leaving investors high and dry and deeply cynical about the Government's commitment to green technology? Is the Business Secretary aware that the target for zero-carbon homes by 2016 was encouraging new and innovative business approaches to architecture, building technology,

[Mr John Denham]

skills training and offset technologies? It was already encouraging a supply chain to make our homes greener. Now that has been changed by the flip-flops of Government decision making. Is it not true that when the Severn barrage was abandoned the Government ruled out any tidal investment for five years, so that when this country turns to tidal power we will end up relying on foreign technology?

Despite all the talk of private investment, where is the evidence for it? Is it not damning that the Pew Environment Group's report in March stated that investment in renewable technology in the UK crashed from £11 billion in 2009 to £3.3 billion in 2010—due, it says, to political uncertainty. That saw the UK drop from sixth to 13th in the ranking of countries encouraging green investment—another example of the Tories letting go Labour's green legacy.

As with the green deal and the electricity market reforms, green businesses know enough about the green investment bank to be excited, but not enough to start planning investments and changing business models. Does the Business Secretary not accept that the bank will not work without much greater consistency, certainty and clarity about Government policies for green energy and the low-carbon economy than we have seen to date?

When will the green investment bank legislation be brought forward? Will he publish draft legislation so that all those interested can help shape it and ensure that the bank truly does become a long-term part of the infrastructure? How will the bank be staffed, and will he ensure that it is not an offshoot of the Treasury or his Department? Will he learn the lessons of Labour's technology strategy board, where private sector leadership and real operational independence have helped to contribute to its considerable success? Given non-governmental organisations' role in shaping all parties' policies on this issue, will the Secretary of State at least consider allowing an NGO representative to join in the work of the advisory board that he proposes to set up?

Will the Secretary of State tell the House why the bank will be barred from raising its own finance until 2015 at the earliest? What does he say to the CBI, which made it clear at the time of the Budget that the investment

> "is welcome, but the bank should have powers to borrow from the outset to give investors confidence."

Has the Treasury imposed this rule? If so, is that not another case of the Government allowing their preferred reckless approach to deficit reduction to take priority over the investment in jobs and growth that would make it easier to get the deficit down?

Can the Secretary of State confirm that, as of today, he does not even know whether the activities of the green investment bank will be on or off the public balance sheet? And is it not essential that that is clarified at the earlier possible opportunity? Does he not recognise that denying early investment in fledgling green industries will hinder their ability to create and expand into new markets? Does he agree that, above all, the UK needs long-term investment in the innovative, entrepreneurial companies that have the potential to become the pace setters and global market leaders of the future?

Does the Secretary of State recognise the risk that the available funds could easily be absorbed by major energy supply companies—companies that, relatively speaking at least, have access to capital—which would invest largely in the installation of established technologies, often supplied by overseas companies? Does he recognise that that risk could prevent UK-based innovators and suppliers from winning market share and developing the established technologies of the future? What assurances can be given that the bank will focus not only on the areas of activity named by the Deputy Prime Minister yesterday, but on the less mature technologies that remain unmentioned, such as solar and marine energy?

There is clearly a balance to be struck between major infrastructure investment and all the activities of innovative companies, but will the Secretary of State tell us how he intends to ensure, in the legislation that will set out the green investment bank's remit, that he will strike the right balance between those activities?

Finally, given the huge uncertainty and inconsistency that the Government have shown over the past year, can the Business Secretary set out how he intends to create greater confidence in green industry companies about the future direction of Government policy? There was precious little about that in the Government's growth plan, but without that market confidence none of the high hopes that we all share for the green investment bank will come to fruition.

Mr Speaker: Order. Before I ask the Secretary of State to reply, I make the point that I allowed the right hon. Member for Southampton, Itchen (Mr Denham) to reach his conclusion because I saw that he was getting towards it, but we cannot again have a situation in which the response to a statement is longer than the statement.

Vince Cable: I take it that, despite the slightly carping tone of the response, the Opposition do support this proposal. It is important that they support it, because the concept of the green investment bank is that it should be an enduring institution that lasts through successive Parliaments. It is important that we have all-party support for what we are doing.

The right hon. Member for Southampton, Itchen (Mr Denham) seems to be claiming credit for this policy, which leaves me with a very simple question: why, in 13 years, did Labour not do it? The demand was there and there were institutional finances looking for such an institution, but it never happened. Why did the Labour Government not do it? They did have a financial vehicle to fund infrastructure investment: the private finance initiative. The whole point about PFI was that it was off balance sheet and the debt was hidden. It was not independently assessed as the green investment bank will be, and as a result numerous institutions, including hospitals and schools, have been lumbered with debts that they cannot manage. Our proposal is a soundly based financial institution leading with equity risk capital, which is what this kind of investment requires.

The Government present this, and I am a Business Secretary proud to lead on such an environmental initiative. The right hon. Gentleman referred to something I said earlier about carbon objectives. We must obviously strike a balance between promoting new green industries and jobs, which are absolutely crucial for growth, and taking proper account of energy-intensive industries, several of which are well represented on the Opposition Benches, such as the steel, ceramics and chemicals industries. Of course we must take those into account and manage the process by which the expansion of green industries takes place alongside proper regard for those industries. I am surprised that he is so insensitive to an important sector of industry that should be of concern to many of his Back Benchers.

The right hon. Gentleman asked about the timing of legislation. Legislation will be initiated once the state aid process has been completed, and we hope that that will take place rapidly.

The right hon. Gentleman asked specifically about less mature technologies, and he is quite right that there is a spectrum of activities of varying degrees of risk and maturity. There are institutions, including the excellent technology strategy board, to take on early stage technologies, and there are bodies such as the Carbon Trust to deal with early stage activities. The green investment bank has a specific role and mandate for projects that are high risk, but none the less mature and ready for commercial investment.

The right hon. Gentleman asked about the scale of the activity. I do not think that most people would regard £15 billion of investment as trivial, and such an undertaking by the end of this Parliament is very ambitious. He says, "Well, why don't you just borrow more?" But that is the problem. We have an exceptionally high level of debt in relation to our GDP, and it is a painful process working it down, which is what the Government have been doing. It is frivolous and irresponsible to say that we can deal with those problems simply by borrowing more and adding to the debt.

Neil Carmichael (Stroud) (Con): I welcome this excellent statement, because it describes an institution wholly appropriate to the needs of Britain, but will the green investment bank be able to support small and medium-sized businesses in a significant way? They are often the drivers of innovation.

Vince Cable: It will be difficult to support small and medium-sized enterprises directly—but there are other mechanisms for doing so. One area of investment will be industrial energy efficiency, and through the aggregation of projects, SMEs might well be part of that.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The CBI has expressed concern about the dangers of the Government's overall green strategy inhibiting manufacturers' ability to provide the necessary green infrastructure. May I seek reassurance from the Minister that he will fight resolutely on behalf of manufacturing industry to sustain that capacity to deliver in this country?

Vince Cable: Yes I will fight, and do fight, resolutely for manufacturing industry, which of course is now seeing significant growth. It is leading this country out of recession, and the CBI has very strongly made the point to me about the need for the manufacturing sector in green industries, and the need to safeguard the industries with energy-intensive plants, too.

Henry Smith (Crawley) (Con): I, too, very much welcome my right hon. Friend's statement. How will larger organisations be encouraged through the process to work with smaller, innovative technology companies, such as Ceres Power and Riomay in my constituency?

Vince Cable: That complements the earlier question about how we integrate SMEs into the process. The fact is that the green investment bank will predominantly be concerned with very large-scale projects, and that is partly where the market failure lies—in mobilising large amounts of capital. In practice, however, large-scale projects can involve combinations of small-scale enterprises, and of course SMEs will also be an important part of the supply chain—particularly, for example, in offshore wind, which is a crucial dimension.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The Deputy Prime Minister, in his speech yesterday, said that the green investment bank might be used to deliver the first stages of the green deal. A couple of months ago, however, the Energy Secretary wrote to the WWF stating that he was confident that there was an appetite in the finance community to lend for the green deal, and that he had concerns about using the green investment bank for it. Will the Secretary of State outline why the policy has changed?

Vince Cable: There has been no change to the policy. The green deal has a very sound business model, it will proceed and it will be successful. We do not rule out the possibility of the green investment bank complementing and working with its activities.

Lorely Burt (Solihull) (LD): I know that my right hon. Friend said in his statement that he does not want to be prescriptive about the nature of the bank's borrowing or structures, but will he look seriously at the recommendations of Ben Warren from Ernst and Young, who told the Environmental Audit Committee that

> "it was crucial to not only focus on big investors when looking to raise capital, but also to work on a structure that allows individual citizens to invest in the GIB"?

Vince Cable: That may well be one of the ways in which the green investment bank will be involved in the longer run—once it is securely established. Large numbers of people will no doubt want to invest, through individual savings accounts for example, and that could well be a product that the bank eventually produces. We certainly do not rule that out, and we want to encourage creativity.

Caroline Lucas (Brighton, Pavilion) (Green): Given that the green investment bank is being set up to promote new green technology, can the Secretary of State confirm that it will not be used to support nuclear, because nuclear is not new, because many of us do not believe it is green, and above all, because such support would clearly constitute a public subsidy?

Vince Cable: The initial analysis suggests that nuclear power would not be an appropriate sector for the bank's investment, but in the very long run we are not ruling out particular possibilities, including nuclear. It is not part of the bank's immediate planning, however.

Richard Graham (Gloucester) (Con): Today seems to be playing an important role in Labour's revisionist history. This morning in Westminster Hall I listened to an Opposition Member claim that Labour was the saviour of post offices—

Mr Speaker: Order. The hon. Gentleman will resume his seat. *[Interruption.]* Order. We are pressed for time, and questions are about the policy of the Government, not of the Opposition. I have made the point several times; I would have thought that the hon. Gentleman had heard it by now.

Andrew Bridgen (North West Leicestershire) (Con): Historically, whatever services the Government decide to offer, the private sector tends to withdraw from them, so what steps is the Secretary of State taking to ensure that the green investment bank complements private sector investment in green technologies and does not merely replace it?

Vince Cable: The bank will not replace such investment. The whole purpose of our extensive market analysis has been to identify the areas where the private sector is not investing and will not invest. The advisory committee is being established, we have appointed the chairman, and it will give us much more specific guidance on how to get the right balance between the commercial and environmental criteria.

Robert Flello (Stoke-on-Trent South) (Lab): The ceramic industry in my city of Stoke-on-Trent will be listening and watching very carefully as the green investment bank develops, but my question is specifically about an engineering firm in my constituency that was looking to manufacture the gearing systems for refurbishing wind turbines. It had no joy from Advantage West Midlands, and it has had no joy from the local enterprise partnership, because it has no funds, so can the Secretary of State reassure me, and the firm, that the green investment bank will be on its feet quickly, and will not be so prescriptive that the company might just as well go to a moneylender, because the terms and conditions will be so tight?

Vince Cable: I have already said that loans can start to be made from roughly April 2012. There will be substantial activity, and the firm in the hon. Gentleman's constituency may well be a successful supplier to the industry, but if I were him I would not be too negative about the other sources of finance. The regional growth fund is entering its second tranche, and if it is a good company with a good project, and if there is a good LEP, it will be eligible for that money.

Martin Horwood (Cheltenham) (LD): I strongly welcome my right hon. Friend the Secretary of State's announcement today—especially if the green investment bank ends up in Bristol, where it can take advantage of Gloucestershire's expertise in financial services. Will he look positively at allowing the bank to finance, or to play a part in financing, the green deal? That would send a positive reassurance to investors in green deal businesses.

Vince Cable: An Opposition Member has already asked me a variant of that question, and I have made it very clear that the green deal is proceeding. It is a successful business model, and we understand the mechanisms by which large-scale investment will be forthcoming, but we certainly do not rule out the possibility of the green investment bank complementing it.

Clive Efford (Eltham) (Lab): I congratulate the Secretary of State on getting to the end of his statement—for a minute I thought he was going to need a wind turbine inserted to pep him up. It is not possible to pick winners in this area, and a great deal of investment is needed in the research and development of new technologies, so will the green investment bank just pick winners or will it be involved in research and development, accepting that sometimes such projects will not come to fruition?

Vince Cable: Any business organisation making project choices is trying to pick winners, and that is what the bank will be trying to do. It will try to get a return for the economy and for society through environmental improvements, so of course it will have to make choices and pick winners. New technologies are being developed through the technology strategy board, we have announced a couple of technology innovation centres—another will be announced later this week—and they will develop the pioneering technologies to which I think the hon. Gentleman is referring.

Miss Anne McIntosh (Thirsk and Malton) (Con): I congratulate the Business Secretary on bringing forward this proposal, and I hope that the bank will come to York and north Yorkshire. May I ask for a commitment from him—that in trying to resolve one environmental problem he does not inadvertently create another? Will he assure the House that the business and environmental cases for offshore wind turbines, in particular, will meet the strictest and most stringent conditions?

Vince Cable: It will indeed do that. As I indicated in my statement, there is what we call a double bottom line. The projects must be commercially attractive, and we have to decide what the rate of return would be. They must be economically viable. They must also, at the same time, make an environmental contribution. Getting that trade-off will not be easy, and it will be one of the important early tasks of the bank. I will undertake to add York to the list of cities looking for such an opportunity.

Barry Gardiner (Brent North) (Lab): I welcome the green investment bank. Will the Secretary of State confirm, however, that the EU Commission has written to the Government expressing its concerns, under state aid rules, that the Government's proposals in the electricity market reform for contracts for different feed-in tariffs and a floor price for carbon may constitute a subsidy for nuclear? If it has done so, will he make the letter available in the Library?

Vince Cable: I cannot confirm that. If the information is available, I am sure we can pursue it in the proper way. As it happens, I met the Competition Commissioner last week and he did not refer to that, but he is alerted to the green investment bank state aid application, and he will deal with it professionally, I am sure.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): One of the crucial things for investors in the green investment bank will be certainty in understanding signals to the market. I understand that investors in bioethanol plants are uncertain as to where the renewable fuels obligation is taking them in this investment climate. Will the Government undertake to make the bank really work by ensuring that investors in that technology have certainty about their future when it comes to Government policy?

Vince Cable: As I said, we are trying to create a stable framework—what is sometimes called a regulatory asset base—against which long-term investment decisions can be made. We have heard several references to the electricity market review and feed-in tariffs. The Minister of State, Department of Energy and Climate Change, my hon. Friend the Member for Bexhill and Battle (Gregory Barker), is involved in the process of establishing a clear set of rules. The green investment bank will sit alongside those clear policy frameworks in order to ensure that large-scale investment takes place.

Chris Leslie (Nottingham East) (Lab/Co-op): If the Secretary of State is considering the location of the green investment bank in its ability to deliver, he must surely take seriously the bid from the city of Nottingham because of our combination of financial services and low-carbon business innovation. Will he or his officials agree to meet a delegation from Nottingham so that we can overwhelm him with our case?

Vince Cable: As I say, we have not come to a decision on the ideal location, and we are certainly open to good, new suggestions. The hon. Gentleman and his colleagues in Nottingham will have to think about whether, for example, they have a sufficient concentration of project finance specialists; I am sure that they have.

Simon Hughes (Bermondsey and Old Southwark) (LD): I would hope that throughout the UK there will be real enthusiasm for the announcement that by 2015 there will be £18 billion of investment in green industries. Can the Secretary of State add to that enthusiasm by sharing his vision of what sector of the economy green industries may represent and the number of jobs that that will bring to Britain? In addition, our tidal and wind can be linked with projects such as the European renewable energy project and solar power from the south of Europe, thus transforming the whole of our energy economy.

Vince Cable: My right hon. Friend is absolutely right to sketch out the scale of what green industries are and can become. We estimate that some 800,000 people, perhaps more, are already employed directly in green economy-related activities, and I understand that that will expand substantially. I hope later this week, in a more wide-ranging comment, to add some more information for his purposes.

Tom Greatrex (Rutherglen and Hamilton West) (Lab/Co-op): Is it still the Government's intention that the fossil fuel levy money sitting in a bank account in Scotland will be rolled into the green investment bank?

Vince Cable: I did not follow fully where the hon. Gentleman was going, but, no, as I understand it that is not the intention. The £3 billion contribution from the Government is not tied to any specific source.

Mike Crockart (Edinburgh West) (LD): I welcome my right hon. Friend's announcement, particularly his commitment to the long-standing, enduring nature of the green investment bank. May I urge him, however, to set a clear time scale for when a decision on location will be made? I fear that once the bank has been incubated in Victoria street, its location may be decided more by inertia than by examination of the excellent business cases that have already been given to him, such as the one from Edinburgh.

Vince Cable: There will be a proper process, and it is important that we consider carefully all serious applications on their merits. I commend my hon. Friend and his colleagues in Edinburgh for the high level of professionalism that they have brought to bear on their application. They have met me and my departmental officials and have taken great interest in it, and I commend their approach.

Mark Durkan (Foyle) (SDLP): I welcome the progress that is reflected in the published plans and in the statement, and I hope that we can rely on much of their promise. Can the Secretary of State assure us that the green investment bank will be open and accessible to all the devolved regions; that no project or company will be disqualified on the grounds that its project has a cross-border character, which would be natural and necessary in Northern Ireland; that nobody will be disqualified on the grounds that their project has been funded by devolved Administrations; and that such funding would not be the subject of a qualifying precondition?

Vince Cable: The bank is a UK-wide institution that will apply in Northern Ireland, Scotland and Wales, so I do not see any problems of that kind. As regards the cross-border aspects, the hon. Gentleman raises an interesting legal question that I will need to look at carefully.

Stephen Williams (Bristol West) (LD): I very much welcome my right hon. Friend's statement. He mentioned future milestones in the setting up of the bank, one of which will be its location. At the risk of exposing him to a civic beauty parade from all around the Chamber, he mentioned three cities, two of which are political capital cities that already have many national institutions. Is there not a clear and compelling case for the new green investment bank to go to the green capital of the United Kingdom—the city of Bristol?

Vince Cable: I am not sure that I am yet in a position to be a beauty parade judge, but they are all beautiful cities, including Bristol.

Nick Smith (Blaenau Gwent) (Lab): Like other colleagues, I note that the Secretary of State is still considering where to base the green investment bank, and I see that there is a possibility of its going to Bristol. May I ask him to look across the Severn river and base the HQ in south Wales, given that investment in the Severn barrage has been stalled?

Vince Cable: This is slightly in danger of getting out of control, but I compliment the hon. Gentleman on his nerve in pursuing it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I give an unalloyed welcome to the fact that we are to have a green investment bank? It is great news. As someone who is very much involved in the third sector environmentally, the one aspect on which I would push the Secretary of State a bit further is the need for third sector co-operation. That sector has been very hard hit

[Mr Barry Sheerman]

by some other Government policies. I am also a little worried by one of his previous answers when he said that small and medium-sized companies will not be eligible for much of the funding.

Vince Cable: I did not say that they were not eligible; I referred to the fact that the initial round was likely to involve large-scale projects. However, I thank the hon. Gentleman for his very positive comments. As for the third sector, I did not respond to the point made by the right hon. Member for Southampton, Itchen (Mr Denham) about participation in the advisory board, which we will certainly reflect on. It was a helpful contribution.

Mr William Bain (Glasgow North East) (Lab): Since 2004, the US Treasury has had the facility to issue up to $2 billion in green bonds to enhance the green economy in the United States, and since 2007 the European Investment Bank has issued more than €1 billion in climate awareness bonds. Is not it a real lost opportunity that the Secretary of State has been unable to persuade the Chancellor to keep to his pre-election commitment to introduce green bonds in the United Kingdom?

Vince Cable: As I said, there is a variety of possible ways of raising funding, one of which is obviously the capital markets. If and when the institution goes to the capital markets, the investment could well take the form of bonds marketed in the way the hon. Gentleman describes. I am sure that we should draw on those experiences.

Points of Order

1.39 pm

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. You may recall that last Monday, 16 May, we had a statement from the Secretary of State for Defence about the military covenant. Following that, because a lot of it had been leaked to the newspapers over the weekend, I raised a point of order in which I said that

> "the Under-Secretary of State for Defence, the right hon. Member for South Leicestershire (Mr Robathan)"

had

> "on the record"

given

> "quotations to *The Daily Telegraph*",

announcing the policy before doing so in the Chamber. The Under-Secretary then said, in some kind of clarification:

> "If the hon. Gentleman cares to read what was in the newspapers, he will discover that what he has said is not in fact in any way correct."—[*Official Report*, 16 May 2011; Vol. 528, c. 43-44.]

I have now read the newspapers. The Saturday edition of *The Daily Telegraph* to which I referred says clearly:

> "a defence minister told The Daily Telegraph that the Government's plans, to be announced in the House of Commons on Monday, would put the covenant 'on a statutory basis for the first time'."

In case there is any doubt about who that Minister was, the article later says:

> "Andrew Robathan, the defence minister…told The Daily Telegraph…'We are putting the military covenant on a statutory basis for the first time.'"

It is one thing for a Minister to leak something to the national newspapers before it is announced in this House. It is quite another for a Minister to give the House a very misleading understanding of what they have done. I do not think that the words used by the Under-Secretary in the Chamber can possibly be squared with what was in the newspaper. I hope, Mr Deputy Speaker, that you will ask Mr Speaker to ensure that the Under-Secretary comes back to the House to make the true situation absolutely clear.

Mr Deputy Speaker (Mr Lindsay Hoyle): What has been said is on the record for everyone to see. I assure the hon. Gentleman that I will refer the matter to Mr Speaker, and that he will look at what has been said today.

John Cryer (Leyton and Wanstead) (Lab): On a point of order, Mr Deputy Speaker, of which I have given Mr Speaker notice. Every Member of this House is doubtless aware that yesterday, the hon. Member for Birmingham, Yardley (John Hemming)—I use the word honourable in its broadest possible sense—named a premiership footballer who is at the centre of the super-injunction row. A lot of people in this place and outside it find it difficult to see the exact public interest in naming that footballer, and I think that it was an act of gross opportunism by a politician on an ego trip. Can you, Mr Deputy Speaker, reiterate the traditional attitudes of the House towards such gross abuses of privilege?

Mr Deputy Speaker: I thank the hon. Gentleman for giving Mr Speaker notice of his point of order. I will simply repeat what Mr Speaker said yesterday:

> "I strongly deprecate the abuse of parliamentary privilege to flout an order or score a particular point."

He went on:

> "It is important…that we recognise the need to temper our privilege with responsibility."—[*Official Report*, 23 May 2011; Vol. 528, c. 653-654.]

I think that that is all that needs to be said on the matter.

Autism (Quality Standards)

Motion for leave to bring in a Bill (Standing Order No. 23)

1.42 pm

Mr Robert Buckland (South Swindon) (Con): I beg to move,

> That leave be given to bring in a Bill to require the Secretary of State to make a referral to the National Institute for Health and Clinical Excellence (NICE) to develop and publish quality standards for autism spectrum disorders; and for connected purposes.

Autism, autism spectrum disorders and Asperger's syndrome are terms that are increasingly entering public consciousness. The number of people who are diagnosed with those conditions is rising. That is the result of a growing awareness of the conditions and the greater specialism that is now available. However, far too many people are not having their needs met. Most Members will have had casework relating to children, young people and adults with those conditions. Such cases are usually about the difficulty that they and their families experience in accessing appropriate diagnostic services, education, health care or social care.

I declare an interest as the parent of a child with ASD, but I speak today for all families across the country who experience difficulties in accessing services. The Bill is an attempt to plug a gap that I believe exists in the commissioning and provision of health and social care for people with autism, particularly those whose IQ is above the level of diagnosis for a learning disability. The National Institute for Health and Clinical Excellence has quality standards for conditions such as chronic kidney disease, dementia and stroke, and it is working on more as we speak. However, none of those standards will relate to autism. I am encouraged that NICE is developing three sets of guidelines relating to autism management in children and adults. I argue that the creation of an overarching quality standard would bring together those strands into one coherent approach. What would the standards look like? I am grateful to members of the all-party parliamentary group on autism and to the National Autistic Society for their work on this. I will put forward some suggestions on behalf of everybody who has been involved.

First, people with ASD should receive care and support from appropriately trained staff who are capable of making reasonable adjustments to understand them and meet their needs. Secondly, people with suspected ASD should be referred to a specialist team. A diagnostic assessment should start within three months of the initial referral and there should be support throughout the assessment by the ASD team. Thirdly, people with ASD should be assessed for any co-existing mental health conditions. The severity of their symptoms and the degree of any associated functional impairment should be identified. Those who require additional help should be offered immediate support.

Fourthly, people who are newly diagnosed with ASD and/or their carers should receive appropriate written and verbal information about the condition and the support options that are available locally. Fifthly and importantly, people who are newly diagnosed should be given a profile detailing their strengths, skills, impairments and needs. That should be the basis for a needs-based management plan that covers learning, communication,

[Mr Robert Buckland]

self-care and other adaptive skills, behaviour and emotional health. The plan should take full account of the family context and the particular needs in each case.

Sixthly, people with ASD should have a community care assessment carried out by a trained assessor. Any care plan should be agreed across health and social care. If required, people with ASD should be given support to use direct payments or personal budgets. Seventhly, carers of people with ASD should be offered an assessment of their emotional, psychological and social needs and, if accepted, should receive tailored interventions identified by a care plan to address those needs. Let us not forget the carers in all this. Eighthly, there should be an ASD strategy group in each local area to help plan services for children and adults. Each group should contain representation from people with autism—the service users—as well as from mental health services, education, social care, parents, carers and the voluntary sector.

The ninth suggestion is that the professionals working with a child with ASD who is approaching the transition to adulthood—a lot of Members will know the difficulty that young people have with that transition—should inform social services and the child about the need for a community care assessment. Adult social services should formally contact the young person and/or their carer before adulthood is reached, so that such young people get the continuity that they deserve.

Finally, people with ASD who use child and adolescent mental health services should have a plan in place for the transition to adult mental health services. Where the referral criteria are not met, it would be good practice to signpost other sources of support.

Why bring this proposal forward now? It is clear that whatever the precise outcome of the important reform that the NHS is undergoing, the process of commissioning health and social care services will change. That will include the process of referring quality standards proposals to NICE. I suggest that the Bill comes at precisely the right moment and that it highlights the vital importance, which is underlined by the Government's proposals, of bringing together health and social care. That is not before time say all of us with an interest in and a passion for issues to do with autism and related conditions.

Those who commission services for people with autism would be helped by a list of quality standards, because it would help to define best practice. It would inform GPs and other potential commissioners of the gold standard of provision for people with autism. Patients and service users would also be made aware of the standards that they should expect from service providers. NHS trusts and other professionals would also be helped. Maybe, just maybe, the lives of thousands of people with autism can be made better.

Question put and agreed to.

Ordered,

That Mr Robert Buckland, Roger Williams, David Mowat, Annette Brooke, Andrew Griffiths, Dr Julian Huppert, Robert Flello, Jonathan Reynolds, Damian Hinds, Justin Tomlinson, Charlotte Leslie and Nicola Blackwood present the Bill.

Mr Robert Buckland accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 25 November, and to be printed (Bill 194.)

Mr Bernard Jenkin (Harwich and North Essex) (Con): On a point of order, Mr Deputy Speaker. Could you clarify whether the House has the option to take today's votes in an order that would facilitate the expression of Back-Bench opinion, as we will be debating Back-Bench business? In the usual course of events, a motion is not voted on until the amendments have been taken. That means that if the Government use their majority to whip through an amendment, the House will never get the opportunity to vote on the motion that the Backbench Business Committee selected for debate. Is it possible for you to ensure that the House has an opportunity to vote on the motion that was selected for debate, or are we in the hands of the Whips and those under their influence?

Mr Deputy Speaker (Mr Lindsay Hoyle): Unfortunately, I have been told that the answer is no; those are the rules on how votes are taken. As frustrating as that may be for the hon. Member, those are the rules of the House as they stand.

Kate Hoey (Vauxhall) (Lab): Further to that point of order, Mr Deputy Speaker. Given that this is a Backbench Business Committee debate and the will of the House needs to be heard, would it not be sensible for Her Majesty's Government to accept the point that the hon. Member for Harwich and North Essex (Mr Jenkin) has made and not move the amendment?

Mr Deputy Speaker: As a long-serving Member, the hon. Lady is well aware that that is not a point for me to rule on, but Government Front Benchers will have heard it. There does not seem to be much movement from them to comment, so we will move on.

Backbench Business

[28TH ALLOTTED DAY]

Eurozone Financial Assistance

Mr Deputy Speaker (Mr Lindsay Hoyle): Mr Speaker has selected the amendment.

2.53 pm

Mark Reckless (Rochester and Strood) (Con): I beg to move,

> That this House notes with concern that UK taxpayers are potentially being made liable for bail-outs of Eurozone countries when the UK opted to remain outside the Euro and, despite agreement in May 2010 that the EU-wide European Financial Stability Mechanism (EFSM) of €60 billion would represent only 12 per cent. of the non-IMF contribution with the remaining €440 billion being borne by the Eurozone through the European Financial Stability Facility (EFSF), that the EFSM for which the UK may be held liable is in fact being drawn upon to the same or a greater extent than the EFSF; further notes that the European Scrutiny Committee has stated its view that the EFSM is legally unsound; and requires the Government to place the EFSM on the agenda of the next meeting of the Council of Ministers or the European Council and to vote against continued use of the EFSM unless a Eurozone-only arrangement which relieves the UK of liability under the EFSM has by then been agreed.

I thank the Backbench Business Committee for facilitating this debate.

Ever since the civil war, and perhaps back to the Plantagenet era, the primary duty of this House has been to control supply, to hold the purse strings and to decide what the Executive may or may not spend on behalf of our constituents. It is not for Her Majesty's Treasury to decide what unknowable liabilities to sign our constituents up for. It is for us, as their elected representatives, to make that decision. I ask every Member to consider that point when they cast their vote later. It is our decision, and only we stand between our constituents and the ability of others to spend their money on their behalf.

My simple point is that it is unaffordable for this country to bail out countries that joined a currency that we chose not to join, when we ourselves are borrowing as much money as, if not more than, those very countries. We are seeing £12.5 billion of our constituents' money—twice as much as was saved in the whole first year of the coalition Government, and £500 a household—being spent on bail-outs; and I mean "spent", because although the Government tell us that they expect the money to be paid back, if that is so, why will the private sector not lend? Why are there rates of 10% to 17%?

Kelvin Hopkins (Luton North) (Lab): I congratulate the hon. Gentleman on raising this issue and support what he is saying. Does he agree that although bailing out Greece, Ireland or Portugal is expensive in itself, today the contagion is spreading to Spain and Italy, bail-outs for which would be absolutely prohibitive for the whole European Union? Would that not be nonsense?

Mark Reckless: The hon. Gentleman is quite correct, and it goes on and on. Yet it is not our problem, and it is not our currency. If we can do anything, we can save ourselves and perhaps Ireland, but we cannot save the euro. The eurozone countries made their decision. We advised them against it, yet they chose to create a currency without a fiscal union to back it up. It is their problem, not ours.

Mr Andrew Tyrie (Chichester) (Con): Given that the "no bail-out" clause has turned out to be completely worthless, the eurozone will need to design some type of resolution procedure for countries, in much the same way as we are trying to devise one for banks at the moment. Is it not therefore all the more important that, since we are not members of the eurozone, the UK taxpayer should have absolutely no part in the construction of that resolution procedure? We do not want to find that there are any more burdens on the UK taxpayer.

Mark Reckless: My hon. Friend is quite correct. There is talk of establishing a permanent bail-out arrangement, and we, the United Kingdom, have a veto over that. We should use that veto to relieve ourselves of all liability under a mechanism that should never have been agreed. That is what my motion proposes, and the amendment fails to do so.

When the European financial stability mechanism was set up, we were told that there would be €60 billion in it, whereas €440 billion would be paid by the eurozone members. Yet in the case of every bail-out we find that the mechanism is used to the same level as, or even more than, the eurozone facility. We in the House and this country are being forced to pay for the mistakes of others, and only this House has the power to stand up, vote and say no.

The whole mechanism is illegal. Let us remember Maastricht and the "no bail-out" clause that the Germans insisted on. What has happened to that? Let us remember article 122 of Lisbon, which states that the mechanism is for natural disasters or other exceptional circumstances beyond member states' control. Did not Ireland, Portugal and Greece decide to sign up to the euro? Portugal has barely grown at all as a country since it joined the euro, and it has done next to nothing to control its spending. I am afraid there is nothing exceptional about that, and nothing beyond its control. It is just using the mechanism, to which we should have said no, to make our constituents pay for its own mistakes.

Mr William Cash (Stone) (Con): Does my hon. Friend recall that Madame Lagarde herself, the prospective head of the International Monetary Fund, said on 17 December last year on that very point:

> "We violated all the rules because we wanted to close ranks and really rescue the eurozone"?

She was being very clear and telling the truth.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Before the hon. Member for Rochester and Strood (Mark Reckless) responds, may I warn him that he only has three minutes to go?

Mark Reckless: My hon. Friend the Member for Stone (Mr Cash) is quite right.I hear that that lady is a good friend of the Chancellor, but I do not believe that we should put the debtors in charge of the bank. The IMF money, too, or 5% or so of it, is our constituents' and taxpayers' money. We should have an emerging market candidate to run the fund, and we should not

[Mark Reckless]

allow the eurozone to continue to perpetuate a French-led IMF that nods through bail-outs with no restructuring and no devaluation. The markets know, and all of us know in our hearts, that bail-outs will not work.

The eurozone says that there will be a "soft restructuring". In other words, when Greece, Portugal, Ireland or—who knows?—Spain cannot pay back what it has promised, the eurozone will say, "Oh, don't worry about it, we'll just roll it over." In the City, they call that an extend-and-pretend policy. Such a policy was pursued in Japan for the whole of the 1990s, which then lost two decades of growth instead of dealing with the banks and recognising its insolvency. The European Central Bank should avoid that. Unless and until the ECB deals with that problem and understands that the assets that it has taken supposedly to back the loans are worth far short of what it currently assumes, the banks will not lend, because they do not know to whom it is safe to lend. The ECB should write those assets down and have that reckoning. The extend-and-pretend policy—the patching up and bailing out, and the throwing of good money after bad—is destined to fail.

Why are we supporting a currency that we very wisely did not join, after warning exactly what would happen? I ask Members of this House to stand up for their constituents. We should require—yes, require—the Treasury to vote against the use of the bail-out mechanism. If the EU does not agree to that, we should require the Treasury to use our veto over the permanent bail-out mechanism until we are extracted and removed from all liability. We should never have been liable for that mechanism. We know that it is unlawful and that it is not for our currency.

It is right that we stand up for our taxpayers and our constituents, who look to us as Members of this House to do so. They do not look to us to seek permission from those on the Treasury Bench, or to urge them to do something rather than require them to do something. Surely as Members of the House we are more than that. Surely our country is more than a star on somebody else's flag. I urge all hon. Members to vote no to the Government-sponsored amendment.

2.2 pm

Kelvin Hopkins (Luton North) (Lab): It is a great pleasure to speak in this important debate and to support the motion of the hon. Member for Rochester and Strood (Mark Reckless). I hope very much to have the opportunity to vote for the motion as it stands rather than in amended form.

Today of all days is important because the crisis and contagion in the eurozone is spreading. As reported in the *Financial Times* and other journals, there are serious problems in Spain, where there is youth unemployment of 41%, and where the economy is in serious crisis, and even in Italy. Those are major economies, not small countries. If we are dragged into a mechanism to save the eurozone even in one of the smaller countries, we will be throwing good money after bad, as the hon. Gentleman said. Bail-outs have been required for Greece and Ireland, and there might be one for Portugal, but those are relatively small countries in EU terms. Spain and Italy are much larger, and bail-outs for them would be prohibitive.

As I have said in the Chamber several times before, it is time to urge the EU to accept the recreation of national currencies for countries that cannot sustain membership of the eurozone. As I and many others have argued, strong currencies derive from strong economies, not the other way around. The Deutschmark was a strong currency because the German economy was strong. Weak economies cannot cope over time when a strong currency is thrust upon them. The best example of that was Argentina, which chose mistakenly to link its currency formally to the US dollar. For 10 years, it struggled, and its economy was almost destroyed before it bailed out and recreated its own currency—not before billions of its dollars had gone abroad. The Argentine economy, which had been one of the strongest on South America, became very weak, simply because it adopted a strong currency, and someone else's currency at that. Adopting a strong currency that an economy cannot sustain is a foolish decision.

The right to flex a currency as of need is a vital component of economic management. Indeed, at Bretton Woods in the 1940s, it was argued that depreciations and appreciations could be appropriate for different countries, even though a stable exchange rate system was agreed after the second world war.

Mr Edward Leigh (Gainsborough) (Con): Is it not strange that the Government are backing so strongly the candidacy of Madame Lagarde for the position of head of the International Monetary Fund, given that that lady is part of a ruling European elite, and that she is on record as wanting to go on bailing out the euro? Should we not be more independent in supporting a really good, tough candidate for that important post?

Kelvin Hopkins: I have not always agreed with our former Prime Minister, but I agreed very strongly with his position on the euro. Of course, my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown) might take a more sensible approach to those things, should he be appointed. I think he is something of an outsider at the moment, but Madame Lagarde has not been appointed yet. Let us hope that he still has a chance of the job.

As the hon. Member for Rochester and Strood said, Britain was wise to stay out of the euro. Because of that, we can flex our currency when needs must. Of course, during and after the crisis, we wisely depreciated our currency. Perhaps a bit more depreciation will help manufacturing and our economy. Countries that have their own currency, such as ours, can also choose their interest rates. Two vital components of any economic management system—the ability to flex the currency and control of interest rates—are given away when countries join a single currency. Even beyond that, there are fiscal policy controls. Countries would do well to retain all the components of economic management if they want to succeed.

When countries do well individually, they can do well collectively. Destroying the economies of EU member states or other countries does not help us in any way. Getting them back into some sort of order by permitting, encouraging or helping them to recreate their currencies, and finding an appropriate parity and interest rate for that currency, so that they can manage their economies for their needs, would raise demand for our goods. The shock absorber effect of different currencies would, over time—a fairly short time, I believe—make the economies of Europe work better singly and collectively. Therefore, the recreation of those currencies is in our interest.

Mr Ian Davidson (Glasgow South West) (Lab/Co-op): Does my hon. Friend have any idea why this Government are so keen on bailing out the euro when that was certainly not in the Conservative manifesto? Is this a case of the Liberal tail wagging the Conservative dog?

Kelvin Hopkins: That is one mystery that will no doubt be revealed when the 30-year rule is applied. We found out some interesting things about what happened in the 1970s under the Jim Callaghan Government recently, so perhaps we will know what is happening now in 30 years' time. I know no more than my hon. Friend about why the Government do not take a more sensible line, as is proposed in the motion.

Matthew Hancock (West Suffolk) (Con): I have listened carefully to the hon. Gentleman's speech. Does he share my frustration that a Labour Chancellor signed us up to a mechanism over which we now have no veto?

Kelvin Hopkins: Throughout the period of the Labour Government, I put the views that I have put in this debate. I hope that I had some influence, but in the end the Government decide what they must. They will not necessarily do what Back Benchers such as me suggest. Nevertheless, I am on record as writing and speaking on such things many times in the past.

We must bring this crisis to a head. The way to do that is to say, "No more bail-outs. Let's start recreating national currencies." I have said that directly to some of our friends in Ireland, when members of the European Scrutiny have met Irish politicians.

Mark Reckless: Does the hon. Gentleman agree that subject to a request from Ireland and to the protection of UK depositors as against the ECB, we should consider extending our currency to allow Ireland to work with us? Under sterling, we could treat Ireland on an entirely equal basis.

Kelvin Hopkins: Ireland is a very special case—it is our next-door neighbour and we are Ireland's major trading partner. Effectively, the Irish would do very well to join the sterling zone rather than the eurozone. That would mean their recreating the punt and choosing the value of it. I would like us to do a lot more to help our Irish colleagues, not simply because I have a large number of Irish people in my constituency, but because that would be a comradely and brotherly thing to do for a nation with which we have had great links for many centuries.

I once again express my support for the motion.

2.10 pm

Joseph Johnson (Orpington) (Con): It is critical that we put into perspective UK taxpayers' exposure to the bail-out mechanism. No Government Member relishes having to put the faith or the credit of Her Majesty's Treasury behind the bail-outs of profligate peripheral eurozone countries, especially at a time of austerity at home, but the coalition Government inherited this situation. The temporary bail-out mechanism, which runs until 2013, was agreed on 10 May 2010 by European Finance Ministers at ECOFIN—after the general election, but before the coalition Government were formed. As the right hon. Member for Edinburgh South West (Mr Darling) admitted in Parliament, the Chancellor opposed the mechanism at the time, as was clearly recorded in *Hansard* on 15 December 2010. *[Interruption.]* Any Labour Members in doubt about that can verify it for themselves.

Mr Cash: Will my hon. Friend consider the answer I received from Ministers this morning, and reflect that although the Chancellor opposed the mechanism, the Government had every reason then to challenge it in the European Court? Why did they not do so?

Joseph Johnson: I thank my hon. Friend for that intervention. I have been led to understand that the Government took the position that there was no strong legal case to support any such challenge.

None the less, it sticks in the craw of many Government Members to be in this position and, like them, I have my doubts about whether the mechanism is being applied in exceptional circumstances beyond member states' control, which is the test for triggering the deployment of financial assistance powers under article 122(2) of the treaty on the functioning of the European Union. Government bond yields in the eurozone periphery are trading at the level they are in some countries because of the reckless management of public finances and the political gridlock in those countries, and because of backsliding on long overdue structural reform. In Greece's case, Government bond yields are trading at about 20% because of Athens's lack of progress towards meeting the pledges it made last year as part of the EU-International Monetary Fund bail-out. That is a case in point.

Painful though it was for the Government to be saddled by the outgoing Labour Administration with an indirect contingent liability through their involuntary participation in the mechanism, the truth is that our overall exposure is a rounding error when compared with that facing Germany and other northern European countries in the core euro area. The debts of the eurozone periphery are being progressively socialised by European Central Bank financing operations that could, in time, be seen as the forerunner of an effective eurozone bond. In the meantime, the €60 billion mechanism is just part of a far larger package of measures to preserve financial stability in the EU to which we have no exposure, except indirectly through our share in the IMF. We are on the hook for a share of €60 billion out of an overall package of €750 billion. Our share, which is about 12.5% of that €60 billion, is just €7.5 billion, or 1% of the €750 billion package.

We do not wish to throw away that 1% lightly, of course, but happily, for that exposure to crystallise, all the countries that have thus far subscribed to the mechanism would have to default in totality. IMF data on the history of sovereign defaults around the world suggest that that is highly unlikely. Even in the unlikely event of a domino series of defaults across the countries that have subscribed to the mechanism, it would be extraordinary for there to be a 100% default rate. The pattern of defaults around the world suggests that losses from default are normally between 25% and 35% of the total losses to which countries or investors have exposure.

Steve Baker (Wycombe) (Con): I would say gently to my hon. Friend that only a few years ago the banking crisis was not foreseen, and the same people who did not foresee that are still giving us advice. We are probably in far worse trouble than is generally accepted.

Joseph Johnson: My hon. Friend is perhaps right to caution me. It never pays to be too optimistic.

More importantly, the coalition Government, who came into power in May 2010, deserve to be congratulated not only on limiting our exposure to the temporary funds—we are on the hook for just one, not both of them—but on successfully capping our exposure. We have been kept out of the €440 billion European financial stabilisation facility, as well as what will be the permanent successor vehicle, the European stability mechanism, which, as mentioned, is due to come into existence in 2013.

That said, we would be wrong to kid ourselves that Britain can shield itself completely from the affairs of the eurozone, and I would suggest that Schadenfreude, in the Chamber or elsewhere, at the turmoil in the euro fringe might be short-sighted. First, our banks remain fragile. People who read the *Financial Times* will know that 14 British banks and building societies were this morning downgraded by Moody's, and there were particularly negative outlooks for Barclays and HSBC. The UK banking sector's exposure to the so-called PIIG economies—Portugal, Ireland, Italy and Greece—alone amounts to about £211 billion, which is the equivalent of about 4.7% of UK bank assets, according to Capital Economics. UK banks can ill afford fresh write-downs that would force them to raise expensive new funds at a difficult time in the capital markets, and a further leg-down in the eurozone financial crisis would certainly not help the Government in their laudable efforts, under Project Merlin, to push the banks to lend more and at reasonable terms to capital-starved businesses in the UK.

The second transmission channel of pain in the eurozone will come in the form of reduced lending to UK consumers and businesses by eurozone periphery banks located in the UK. Irish banks account for about 3% of household loans in the UK, and about 7% of corporate loans. Spanish banks play an even more important role. Through Santander, which owns Abbey, Alliance & Leicester and Bradford & Bingley, Spain accounts for 14% of household loans in the UK. If troubles at home force these eurozone banks to rein back their lending, especially overseas, credit conditions in the UK could clearly start to worsen again. We should think hard about that before expressing any Schadenfreude at what is happening on the continent.

Furthermore, distress will be felt at home through the trade channel. At a time when domestic sources of growth are under pressure and few and far between, the UK's trade links with continental Europe are of pivotal importance. Although Spain and Portugal might be less significant as trading partners than Ireland, the PIIG economies together account for 14% of UK exports, compared with Germany's 9% and the 16% of UK exports that go to Asia. A wave of defaults, or at the very least a considerable weakening of the euro, would not only hit demand in these countries, but damage UK export competitiveness—a linchpin of the Government's economic strategy.

The Government are right to limit our financial exposure to future bail-out mechanisms, and need to be congratulated on having done so successfully, but it should go without saying that we still have much at stake in the success of these future bail-out mechanisms. We cannot wash our hands of them. The health of the UK banking system, the extent to which the UK economy is dependent on credit extended to UK companies by eurozone banks and the UK's own need to earn a living from exports make it abundantly in the UK's interests to wish our European partners every success in tackling the crisis through future eurozone-only arrangements. Anyone taking pleasure in the discomfort of our European partners might be in for a nasty surprise.

ROYAL ASSENT

Mr Deputy Speaker (Mr Lindsay Hoyle): I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified Her Royal Assent to the following Measures:

Care of Cathedrals Measure 2011

Ecclesiastical Fees (Amendment) Measure 2011

Mission and Pastoral Measure 2011.

Eurozone Financial Assistance

Debate resumed.

2.19 pm

Jim Shannon (Strangford) (DUP): I rise to support the motion before the House and to add some comments to the debate. I want to give a couple of examples—fishermen and the farming industry—where the EU is creating more hassle than can be justified. I am of the school of thought that we should make the best of a bad job, and on many occasions we have to do that. The EU, along with the way in which it is run, is most certainly a bad job, yet at present we are in it whether we want it or not. It therefore falls on this House, MEPs and another place to do our best to hold the EU to account as far as possible for the events that take place over in Brussels. We have an opportunity today to debate that and vote on it.

It is clear that the European financial stabilisation mechanism is not fit for purpose; owing to this, the UK could be held liable as a member state. On 9 May 2010, the European financial stability facility was created, and it is a special purpose vehicle agreed by 16 members of the eurozone and aimed at preserving financial stability in Europe by providing financial assistance to eurozone states in economic difficulty. Thus far, we are not at all involved, but no to the euro meant no to the EFSF. The tricky part came with the notion that the facility may be combined with loans of up to €60 billion from the European financial stabilisation mechanism, which is again reliant on funds raised by the European Commission using the EU budget as collateral, and up to €250 billion from the IMF, all to secure a safety net of €750 billion.

If there is no financial operation in activity, the EFSF would close down after three years, on 30 June 2013. If there is a financial operation in activity—which of course there is—the facility would exist until its last obligation had been fully repaid. There has indeed been activity, and a good deal of it involving the EFSM, despite the fact that it should not have been involved to the extent that it had an equal if not greater share of the bail-outs. The purpose of the European financial stabilisation mechanism is to provide an emergency funding programme that is reliant on funds raised on the financial markets and guaranteed by the European Commission using the European Union budget as collateral. I want to give some examples of where things have gone pear-shaped, to use that terminology.

It seems abundantly clear that, as a non-eurozone member, we can be held accountable only for the EFSM, yet for some inexplicable reason it was this funding that bailed Ireland out—to the tune of €5 billion—as opposed to the eurozone funding, which should have borne the brunt. We are neighbours of Ireland, and I do not wish to be harsh. Of course we want to help out where we can, as a healthy Irish economy could benefit the Northern Ireland economy, owing to the shared land border. However, it is hard to grow this sense of neighbourliness when we see the fund enabling Ireland to undercut us on corporation tax, which subsequently encourages business investment in the Republic as opposed to Northern Ireland, or when we see that it has enabled fuel duty to be reduced, which has also taken flight business away from the Province. So, we bail them out and then they use that to our disadvantage. Why should we doubly lose out—through access to European funds, along with increased competition for our business in Northern Ireland within the United Kingdom—when the eurozone fund should have been responsible for bailing Ireland out all along?

Mr Davidson: That point is of significance to Scotland as well, because the pressure from Northern Ireland to reduce its corporation tax to compete with the Irish Republic is being replicated in Scotland. Does the hon. Gentleman have any idea why this Government are using British taxpayers' money to fund an opportunity for the Irish Republic to undercut us on corporation tax in that way and thereby cannibalise British revenues?

Jim Shannon: The hon. Gentleman makes an appropriate intervention. We in Northern Ireland certainly do bear the brunt of that, and we feel the pain more than most, as does Scotland. Perhaps when the Minister responds we will get an idea of exactly why that has happened.

The second example is from Iceland—there is more than one cloud hanging over Iceland, by the way—and the second referendum there. Iceland rejected a proposed deal to repay €4 billion that Britain and Holland spent in 2008 to reimburse savers hit when Iceland's banks collapsed. Meanwhile, I am hearing complaints from my constituents about the amount of fish that fishermen can catch and the number of days that they can work being restricted by EU legislation, as opposed to the Icelandic raiders—they are certainly not an ice hockey team—who are sweeping in, despite Euro-protests, and fishing mackerel that belong to our fishermen. Those are just two simple examples of the failure of the bail-out system in Europe. It is passed the time that this be brought to a head and we ensure fairness for all in Europe.

The hon. Member for Rochester and Strood (Mark Reckless) has stated that the legality of the EFSM is called into question by the current wording of the treaties, which must be changed accordingly. That is exactly the issue that we are trying to address. Therefore, the answer is very clear: use the upcoming meeting of the Council of Ministers or the European Council to vote against the continued use of the EFSM unless a eurozone-only arrangement that relieves the UK of liability under the EFSM has been agreed.

For far too long we have slavishly followed the dictates of Europe, throwing pound after pound into that deep hole that is Brussels and awaiting some kind of recompense for doing things the right way. For too long we have watched other countries prosper—and not too far away from us, either—with bail-out funding, while we cut funding to schools, hospitals and infrastructure in order to remain solvent and claw our way back to a sound financial footing. Everyone in the Chamber today will be able to give examples of that from their constituencies. For too long we have paid in while watching our farmers and fishermen flounder under the weight of European dictates, at the same time as we watch other nations flout the very same rules that our officials seem to have an almost evangelical zeal in enforcing. Indeed, we have been fined £60 million in Northern Ireland for mistakes in bureaucracy and forms that have been filled in.

We need to assert ourselves by saying to the EU that we will no longer be Europe's nodding dog, making do with a pat on the head every now and again, as if that is

[Jim Shannon]

okay. We more than pay our way. Others must be held to the dictates that we adhere to. That should start with the matter of this funding and how it is used. I fully support the motion and urge every Member here today—those who embrace Europe and those who oppose it alike—to state that from now on we will make a better job of what is currently a bad job and demand our rights as a member state, beginning with the right to exclude ourselves from the euro without paying for it through the back door.

2.26 pm

Stephen Williams (Bristol West) (LD): The background to this debate is the extreme financial turbulence that took place all around the European Union—and, indeed, around the world—in 2008. Since then, the vast majority of EU member states have become stable. They are growing and have deficit reduction plans in place. It is also important to recognise—I am quite surprised that no one from the Government Benches has said this yet—that the UK has not needed assistance from the IMF nor from the European financial stability mechanism, which we theoretically could have called on from our fellow EU member states, or indeed any bilateral assistance, precisely because the coalition Government have put in place a realistic deficit reduction plan to put our finances on to an even keel. However, other EU member states are still struggling and have needed that international assistance—I refer, of course, to Greece, Portugal and Ireland. Today's debate is concerned with European Union assistance, but we should remember that many fellow member states have also needed IMF support and bilateral loans, from us and other member states.

Graham Stringer (Blackley and Broughton) (Lab): Is not the reason why Greece, Portugal and Ireland have needed money that they cannot alter their exchange rates or control their interest rates because they are in the euro? Some of those countries are cutting even faster than this Government, and it is not helping. The answer to those countries' problems is to get out of the euro and return to their old currencies.

Stephen Williams: I thank the hon. Gentleman for his intervention. I suspect that I may be alone in the Chamber—at least on this side of the Chamber—in being for the euro. I believe that Britain could have benefited from joining back in 1999, but I none the less recognise that the coalition agreement contains a strong statement on how that is simply not up for discussion during the course of this Parliament. I would therefore agree to differ with the hon. Gentleman. Surely one of the reasons why the three states that he mentioned are unable to deliver deficit reduction is not just their membership of the euro, but the fact that their Governments have not been as willing as this Government to take the necessary painful medicine to put themselves back on an even keel.

We have, of course, made bilateral loans as well, recognising that, as the hon. Member for Orpington (Joseph Johnson) said earlier, it is in our own selfish national interest to support our fellow EU member states. Many of those points were made last year in the debates on the Loans to Ireland Act 2010. One statistic, which I thought was implausible when I first heard it—I have now heard it so many times that it must be true—is that Ireland is more significant to our trade than China, India and Brazil, so it is indeed in our national interest to continue to support Ireland.

Henry Smith (Crawley) (Con): My hon. Friend talks about our bilateral and multilateral arrangements. Surely it is in this country's interest to be flexible and not to get locked into multilateral arrangements, but to have the freedom to make bilateral arrangements when it is in our national interest to do so.

Stephen Williams: I thank my hon. Friend for that intervention. He is right to say that we need flexibility. Because we are not in the euro, we are not a participant in the far greater funding of the facility. I think that the figure involved is €400 billion. Our exposure is therefore quite limited.

That leads me on to my next point. The loan to Ireland involves about €7 billion, which is roughly equivalent to the maximum theoretical exposure of the United Kingdom to the loans that we have participated in under the European financial stability mechanism. So what is the cost to the UK? I have already mentioned our IMF and bilateral loan contributions, which we make irrespective of our EU or euro membership. We are outside the EFSM, as I have said, and our EFSM contribution is restricted to the UK share of the European Union budget, which is roughly 12.5%. Our total theoretical exposure is therefore about €7.5 billion, which is roughly equivalent to the bilateral loan that we have decided, of our own volition, to give to our close friend and neighbour, Ireland.

Our contribution to those loans—I emphasise that they are loans—is at risk only if there is a default on the part of the member states receiving them. It is the expectation, when loans are made in the ordinary course of business, and certainly between nation states, that they will be repaid without default, and that they will be repaid with interest. If Ireland and Portugal repay those loans in a timely manner and with interest—the interest rate is quite a hefty one—it will be important to ensure that the interest is credited back to the United Kingdom.

A real cost would be incurred if we did not support our fellow EU member states, which are, after all, our closest trading partners. It would simply not be in the UK's national interest to watch the eurozone fail and even break up, as I suspect some of my coalition colleagues would like it to do. The resulting massive instability among our closest trading partners on our doorstep would not be in our national interest. I plead with the ministerial team to make the case more strongly on behalf of the Government that UK assistance at this time is in the British national interest, and that it is not merely the result of some philosophical commitment to the European Union, whether by the Liberal Democrats—whom I heard being blamed earlier—or by anyone else. Indeed, if we were not making those contributions via the European financial stability mechanism, it is possible that we would be making higher bilateral contributions or having a higher call on our funds because of our treaty obligations relating to the IMF. It is also right, however, that any such support should be temporary, and that, from 2013, the eurozone should be able to wash its own face and support itself through the proposed new European stability mechanism. It will then be up to

Britain to decide whether it wishes to give bilateral assistance, when it is in our national interest to support our closest friends and neighbours.

2.33 pm

Kate Hoey (Vauxhall) (Lab): I want to contribute to the debate because it is often implied in the media and elsewhere that very few Labour Members are against what is happening in Europe. It is important to point out that millions of Labour voters would support the motion, and would like to see my party take an even stronger view on this issue.

I do not know the details of who signed up to what and when, but I am clear that if it was our Chancellor who did so, we should not have signed up to these arrangements. The new Government coming in should certainly have made it clear that they were a new Government and that they would look at the matter again. I appreciate that they are a coalition, but this should have had a high priority in the coalition agreement.

Graham Stringer: I am following what my hon. Friend says, and I agree with her. The previous Government were out of tune with the electorate on Europe, as are this Government. Would it not be good to have a national debate on these issues, and a referendum on whether we should be in or out of the European Union?

Kate Hoey: Yes. I am a supporter of the People's Pledge campaign, and any other campaign that I see on a referendum. I would like those campaigns to work together more.

Even in the House today, we are going to end up being unable to have a clear vote on this issue because of the way in which the procedure works and because of the way in which the Government—like previous Governments—are in a nice, cosy little group with all the pro-Europeans to ensure that we never have a real vote on these matters. I am not sure whether all those Members who have signed up to the Government's amendment knew what they were signing up to. I cannot believe that they do not support the motion tabled by the hon. Member for Rochester and Strood (Mark Reckless). Looking at the amendment, we see that they accept the motion up to and including the point that the EFSM is "legally unsound". If something is legally unsound, the Government should automatically oppose it. I am sure that the European Union will be quivering when it hears that the Government's amendment proposes that the Government

"raise the issue of the EFSM at the next meeting of the Council of Ministers or the European Council; and supports any measures which would lead to an agreement for a Eurozone-only arrangement."

Jacob Rees-Mogg (North East Somerset) (Con) *rose—*

Mrs Anne Main (St Albans) (Con) *rose—*

Kate Hoey: I will not give way again.

Does anyone in the House really think that our Government would be listened to if they went along to the Council of Ministers and said that they were very concerned about this issue? They have not even managed to get Parliament to give a clear signal about what it thinks. They have fudged the vote today so that it will be pretty meaningless. This fudging on Europe goes on all the time among the cosy establishment, and it makes people angry and frustrated, not only in the House but out in the country.

I recently asked the Foreign Secretary

"if he will have discussions at EU level on reducing the funding spent by the EU on publicity campaigns."

This matter arose because the European Union has decided to put by even more of our money to ensure that ordinary people throughout the EU are told how wonderful the EU is. We are spending money directly on European Union propaganda. The answer came back from the Minister for Europe, and the first bit sounds great:

"While it is important for institutions such as the EU to communicate effectively…spend on this should be efficient, affordable and proportional. Funding levels for the EU to communicate its work publicly, as for all other EU activities, will be decided within the negotiations on the EU 2012 Budget. With those negotiations, this Government are seeking substantial reductions in spend and greater efficiency across all areas of the Budget."—[*Official Report*, 23 May 2011; Vol. 528, c. 448W.]

Once again, fine words. The previous Government said exactly the same thing, but nothing ever changed. Nothing relating to the European Union ever changes. The sums of money involved never go down. We never pay less; we pay more and more.

With regard to what my hon. Friend the Member for Blackley and Broughton (Graham Stringer) said, I believe that it is time for us to have this debate out there in the country. Let us stop being afraid of our constituents' views, and listen to what many people out there want to say. This Government need to accept what the previous Government would never accept—namely, that we are here to stand up for our constituents and our country on this issue. It is about time that we started to say no to Europe, and to mean it.

2.39 pm

Mr William Cash (Stone) (Con): The Government amendment—they have not tabled it in their own name, but that is what it is, to a great extent—reflects badly on the integrity of the coalition. It has nothing whatever to do with the national interest. It also says a great deal about a commitment to Liberal Democrat ideology, and it is primarily about numbers. The Liberal Democrats, and certain elements in the Conservative party at a very high level, are quite prepared to allow further European integration. There are alternatives that would allow us to renegotiate the treaties and/or to say no, but they are simply not doing so.

Indeed, only a few days ago, the Prime Minister made it abundantly clear that the object of the coalition was to stabilise the economy. We understand that. The problem is that this is about numbers, not about principles or policy. There are many people in the Conservative party, outside and inside the House, who know that the arguments we are seeking to address in a reasonable fashion are in the interests of the country. There is no question about that; the press outside believe it as well. The bottom line is that those of us who have relentlessly pursued the issue of the eurozone bail-out and have tabled many questions have invariably received what could reasonably be described as somewhat evasive answers.

Why should the British taxpayer or British hospitals and schools in our constituencies in any way underwrite what goes on in Portugal, or indeed any other country in the eurozone, particularly in times of austerity? It is

[Mr William Cash]

nothing to do with the question, as suggested on a number of occasions, of qualified majority voting. This is completely contrary to the assertion made in reply to me today by the Financial Secretary. Article 122 is not compatible with the treaty and cannot possibly be used to support the European financial stability mechanism. Indeed, in their acquiescence, as shown in the amendment, the Government accept that the position is legally unsound. By saying that, they completely undermine their position. The Government know it and everyone knows it: it is not compatible with the treaty, and the Minister is wrong.

Mr John Redwood (Wokingham) (Con): My hon. Friend makes a powerful legal point. Does he agree that what these states in trouble need is a work-out, not a bail-out? We do not give alcoholics more drink; we cure the alcoholism. We should not give the over-borrower more borrowing.

Mr Cash: I could not agree more, and a course of Alcoholics Anonymous would not be out of place.

It is not just the European Scrutiny Committee that said the position was legally unsound or unlawful. Madame Lagarde herself, the prospective head of the IMF, said on this issue on 17 December:

> "We violated all the rules because we wanted to close ranks and really rescue the eurozone."

This is a stitch-up of the British people to maintain the so-called solidarity for further integration of a failing European project. That is what lies at the heart of the matter.

Why are people protesting and rioting all over Europe —in Madrid, Greece, Italy and the list is growing? What is not growing is the European economy and the reason is that the sort of policies needed—here and in all the other countries—to engender growth to deal with the deficit that the Government rightly say we have to address are impossible to achieve without generating the growth that is needed by repealing legislative burdens and generating policies that the integrationists in Europe simply refuse to allow. I would go further and say that the coalition in this country cannot achieve growth simply because the Liberal Democrats, as part of the coalition, have silenced the Prime Minister's promise to repatriate burdens on business. It is called 56 votes and the keys to No. 10.

Jim Sheridan (Paisley and Renfrewshire North) (Lab): The hon. Gentleman might have heard, as I did, the Liberal part of the coalition talking clearly about what might happen "if" these loans are repaid, which suggests some ambiguity and concern within the coalition Government about whether the loans will be repaid. He will also recall that when the Conservatives were in opposition, they opposed the bail-out of Northern Rock. What has changed between then and now?

Mr Cash: Very simply, we now have a new coalition Government who have been seeking to achieve a reduction in the deficit, but they are not doing the accompanying things that are required in respect of the failing European project. That is the key problem. There are young people throughout Europe—and, for that matter, in this country—who simply cannot get jobs because companies will not take them on as a result of European employment regulations and because the deficit in the public sector cannot be stabilised without reasonable tax revenues from the small business community, which is being deliberately destroyed by the refusal to repeal the burdens that strangle it.

In the meantime, Germany has had unit labour costs of a mere 2% on average over the last 10 years, whereas the average for the rest of the European member states is between 25% and 30%. It is an impossible situation, making it impossible for Europe—this entity that the integrationists believe in—to be able to compete with the BRIC countries. Germany invests in cheaper labour markets in Europe, with 67% of all its trade being with Europe, while 45% of all European trade with China is German.

The reality is that what we are debating today is symptomatic of a failure in the coalition Government's strategy. We are not going to get out of this problem—I say this in all sincerity and in the great hope that people will listen at last—as long as we go on with this failing project. We will not get out of the mess. Today's debate is an opportunity to get the issue straight. As Michael Stürmer, the chief correspondent of *Die Welt* argued, the dream is over and the Maastricht treaty has to be revised, but the coalition has no will to do so. The European bail-out of Portugal is a symptom of this deeper problem.

Claire Perry (Devizes) (Con): Given my hon. Friend's very pessimistic view of the outlook for the eurozone, which many of us share, does he not feel like giving just a tiny cheer that, thanks to the Chancellor's efforts last December, we will take no further part in a permanent bail-out mechanism for Europe?

Mr Cash: I did not say anything adverse about it at the time other than that the opportunity was not taken, despite advice I tried to give, to use the treaty opportunity to say to other member states that we would not agree to the treaty and would veto it unless we were taken out of the EFSM; we could then have brought forward the arrangements currently proposed for 2013. That proposition was eminently reasonable, eminently possible and €440 billion was available under the facility, which is in operation until 2013. In other words, the whole EFSM issue pivots on vanity and a determination not to unravel something that cries out for unravelling. It is not just; it is not right; it is completely irrational.

There are going to be further and deeper riots and protests. Worse still, I believe that the Government are contributing towards instability throughout Europe while claiming that within the time frame extending to 2013, bailing out the German and French banks—we should remember that that is what lies at the root of the problem—as well as Portugal and Greece will achieve stability. It will not. The argument is not only wrong, but totally—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

2.48 pm

Austin Mitchell (Great Grimsby) (Lab): I largely agree with the argument about the incompatibility of eurozone countries, as the hon. Member for Stone (Mr Cash) outlined, although I do not agree with his defence of the Government. If we pay tribute to anybody it should be to the previous Chancellor and then Prime Minister, my right hon. Friend the Member for Kirkcaldy and Cowdenbeath (Mr Brown) who, against great opposition from the Liberal Democrats and from sections of the Labour party, kept us out of the euro and avoided the consequences that have fallen on the eurozone states that are now in need of support and finance.

I do not think that the hon. Member for Bristol West (Stephen Williams) should feel uncomfortable about his lonely defence of the euro as he sits there like an Amplex advert on two empty Benches—because nobody wants to sit with somebody who is going to defend the euro in his kind of fashion—as the Liberal party policy has always been, "My euro right or wrong." I can well remember, as can many others, the exchange rate mechanism crisis. Just as the ERM was about to collapse, there were the Liberals chanting, "Move to the narrower bands now" in unison with a lemming-like folly, which the hon. Gentleman demonstrated again today. He should not worry about this peculiar position; he should say with triumph that the Liberal Democrats have persuaded the coalition into accepting and financing these bail-outs. It is not a small sum. He mentioned a liability for £7.5 billion—this from a Government who are cutting Sure Start children's centres and police budgets and who cannot afford anything for beneficiaries in this country, yet who are prepared to back a bail-out that could cost us £7.5 billion.

To have persuaded the cautious Conservatives, who have always been rather sceptical about Europe, to accept that position must be a triumph for the Liberal Democrats, in which I think they should rejoice. It is a demonstration of the impossibility of the eurozone's working. What we are being asked to do today is pay for the consequences of the fact that it could never have worked because it brings together incompatible economies. It brings together the southern economies, which are frankly uncompetitive, and many of which are close to defaulting in any case, and the powerful German economy, where inflation is kept very low by agreement between the two sections of industry, continuous investment and continuous improvement.

The southern economies, which have higher rates of inflation and lower rates of productivity, can never keep up. The gap therefore widens, and Germany comes more and more to dominate the European economy, to a point at which the others must deflate to clear the deficits caused by their balance of trade with Germany. That is the incompatibility with which we are dealing, and that is the cause of the problems of the southern states in which we are being asked to involve ourselves—although we kept out of the euro, in the face of some derision from the Liberal Democrats and, indeed, liberal opinion in the country as a whole.

We kept out, so why should we be responsible for the failures implicit in the euro? There are only two possibilities for the countries that are now failing and needing help or the ability to default. They can deflate, which they are being asked to do to a degree that is impossible for their electors to accept, or they can get someone to write off their debts, a strategy mentioned by the hon. Member for Rochester and Strood (Mark Reckless). They cannot do what France and Italy did for many years when they became uncompetitive and their balance of payments deficits built up, and simply devalue. Such action was precluded first by the European exchange rate mechanism, which broke up because it became impossible, and it is certainly precluded now by the euro. These failing countries can have no recourse to either reducing interest rates or accepting adjustments to the exchange rate, as this country has done, and they have therefore moved towards a crisis.

I cannot conceive why we—having kept out of the euro and warned of the consequences of joining the euro, and having drawn attention to what was implicit in a system that brought together incompatible states with different rates of productivity and competitiveness and with no central mechanism to redistribute or help them with their difficulties—should be asked to contribute to the bail-outs, and I therefore strongly support the motion. I cannot see what the sob sisters who tabled the amendment have to offer by saying, "Let us talk about it later." Let us talk about it now, because the House must be the master of its own destinies and the country's destinies.

This cannot be left to a Government who, in European matters, are always facing the threat of the tar baby. One contact with the euro, and countries are dragged in; one contact with Europe, and they are dragged endlessly into further and further commitments to a line that is impossible to hold. We should say in the Chamber today, "We cannot hold this line. We will not help to hold this line. It is not our problem."

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We are running out of time very quickly, and I want to enable as many Members as possible to speak. We need to hear about the amendment, so I now call Chris Heaton-Harris. If there are fewer interventions and Members do not use all their allotted time, we shall do very well and get much lower down the list.

2.54 pm

Chris Heaton-Harris (Daventry) (Con): I beg to move an amendment, to leave out from 'unsound' to the end of the Question and add:

> 'urges the Government to raise the issue of the EFSM at the next meeting of the Council of Ministers or the European Council; and supports any measures which would lead to an agreement for a Eurozone-only arrangement.'.

As you have made amply clear, Mr Deputy Speaker, we do not have much time. I therefore intend to confine my remarks to the subjects raised in my amendment and to the politics behind it.

The motion argues that there is no legal base for making EU money available for bail-outs. It questions the idea that the natural disasters clause can be used to justify using EU funds to pay the countries concerned. Let me say at the outset that the amendment does not touch the very important line in the original motion that states that the European Scrutiny Committee, of which I am a member,

> "has stated its view that the EFSM is legally unsound."

Let me now deal with some of the politics of today, which were observed by the hon. Member for Vauxhall (Kate Hoey).

Mr David Nuttall (Bury North) (Con): Was not that line left in the motion because it is a fact—which there is no point in denying—that the European Scrutiny Committee stated that the European financial stability mechanism was legally unsound?

Chris Heaton-Harris: I shall come to that point directly.

Members on both sides of the House know that the Government would not have accepted the motion tabled by my hon. Friend the Member for Rochester and Strood (Mark Reckless), and that if we were to vote on the original text it would be probably be defeated, and the House would be left without a view on this matter. My amendment, which I should like to think has a good chance of being passed, would enable the House to adopt the words of the European Scrutiny Committee.

I believe that the legality of the EFSM, and indeed that of the European financial stability facility—the EFSF—has been questioned in relation to the EU treaty's "no bail-out" clause, which states that the EU and member states

"shall not be liable for or assume the commitments of"

other member states.

Mrs Main: I appreciate that my hon. Friend was trying to be helpful, but his amendment seems deeply unhelpful to those who wanted the strength of the original motion to be negated, and to have been able to vote on it.

Chris Heaton-Harris: I will say more about the politics later in my speech. In any event, I believe that if either my amendment or the original motion is passed, the House of Commons will be the first member state Parliament to question formally the legality of the stability mechanism.

The remaining part of my amendment involves a fairly academic argument. Does any Member in the House truly believe that, with the Greek economy running out of cash, market fears that the eurozone contagion will spread and reveal itself at the heart of the Spanish and Italian economies, and the continuing problems in Ireland and Portugal, this matter was not going to be up-front and central at the next meeting of the Council of Ministers or the European Council? I should like to think that those problems are not only the first item on the agenda for such meetings, but being discussed every day throughout the Governments of Europe.

Bail-outs have become what they were always going to be: politically toxic, not only for those who provide the cash—the local election results in Bremen at the weekend underlined that—but, much more, for the Governments of the countries receiving the money, who have to introduce economic measures that are politically unpalatable to the people, as so many Spanish socialists found last weekend. Whatever senior advisers of Governments across Europe may think, the markets have already decided—and I consider it to be a matter of fact—that the Greek bail-out has not worked and will be renegotiated.

What I believe my hon. Friend for the Member Rochester and Strood is after is a vote that will prevent us from providing any more money for these bail-outs through the EFSM. Alas, although the UK could vote against any proposal presented—and I should like to think that it would—the simple fact is that because of the disastrous advice given to the former Chancellor of the Exchequer and the consequent actions that he took at meetings on 9 and 10 May last year as the previous Government were leaving office, the UK entered the mechanism. Moreover, the Council decides on these matters now, and will do so in the future, by means of qualified majority voting.

George Freeman (Mid Norfolk) (Con): Does my hon. Friend not agree that when the Conservatives were last in office they established a firm veto in precisely this context? That veto was given away in 2001 by the Labour party, and the present Government are now being forced to implement a decision that was sneaked through by Labour in the dying days of its Government.

Chris Heaton-Harris: Absolutely—and let me make it perfectly clear that, thanks to what Labour did a year ago as it was leaving office, the EU cannot veto the grant of an EU loan or credit line extended via the European financial stability mechanism.

Kate Hoey: The hon. Gentleman can say what he likes about why we cannot do this and cannot do that, but does he not accept that the people of this country do not care which party did what? They want us to veto this now, and if we cannot do so, we should simply not pay.

Chris Heaton-Harris: I should love to agree with the hon. Lady on that—so I will.

Jacob Rees-Mogg: Is there anything to prevent us from requiring the European Court of Justice to rule on whether this use of the mechanism is legal?

Chris Heaton-Harris: I honestly do not think so.

In the most basic terms, voting for the original motion will not mean that we are no longer liable to contribute to bail-outs via the EFSM. Worse than that—as I have said—because the Government signalled they were not likely to accept the original motion, it would in all likelihood have fallen, and therefore, far from this House having put its foot down, it would not have had a view at all. My amendment merely recognises that reality. It does not build up false hope that we can simply stop being involved in these matters, but it does send a message to Government that I hope will be reflected in the ongoing debates on them: that this House wants there to be a eurozone-only arrangement in the future.

Too regularly in this place and elsewhere, those of us who question various aspects of our relationship with the European Union march our supporters to the top of the hill only to find that we are outnumbered and outfoxed, and are then valiantly and gloriously defeated. We need to get real.

Richard Drax (South Dorset) (Con): Perhaps we are led to the top of the hill and then let down by parliamentarians who do not have the guts to stand up for their country.

Chris Heaton-Harris: My hon. Friend could, perhaps, say that, but he would obviously have to have a good 10-year track record of actually standing up for this country in a different Parliament somewhere else.

The economics of our time is proving us right. It is time we changed tactics, and time we learned from the past. Let us win the arguments we can, bank the result and push forward. I am sure that those on the Treasury Bench have noted the feeling of the House on this matter. I would like to think they understand that we expect the Government to play all the cards they are dealt in negotiations with our European partners, and I would remind them of how much cross-party support they have for their negotiations on the next EU financial framework for 2014-2020. We have a veto on that matter, and are expecting great things.

My endgame is to spare the UK the costs of these bail-outs, leaving them as a proper matter for the euroland countries. I intend to press this amendment—tabled in my name and those of more than 50 other Members—to the vote.

3.2 pm

Mr Ian Davidson (Glasgow South West) (Lab/Co-op): The wider question we need to address is why it appears that this Government are consistently going soft on the European Union. When they were elected, the impression was given that they were going to be much tougher on Europe than the previous Government had been, and I welcomed that different position, on that issue if on no other. I welcomed the fact that the Conservatives gave the impression they were going to stand up to Europe much more than the previous Government, and that they were going to seek opportunities not only to repatriate powers but to reduce the amount of money we give to the EU and to pursue all possible ways to clip the European Commission's wings. Why, therefore, has it come to pass that they seem to be simply acquiescing in so much that goes on in the EU?

I do not for a moment accept that the current Government should be allowed to hide behind the playground argument that a big boy did it and then ran away. I accept that the previous Government were not without fault in this matter, but simply to say that they did it so there is absolutely nothing whatever we can do about it now is not acceptable. To their credit politically, this Government have said in respect of a whole number of policy areas that they wish to reverse the previous Government's line, and they are taking steps to do so. Where they believe it is important, they have taken steps to undo the previous Government's work—and I oppose what they have done—yet in this area they seem unwilling to do so. I simply do not understand that, unless they have struck a secret deal with the Liberals whereby the Liberal tail is wagging the Conservative dog.

Today's debate appears to be largely a row among Tory Eurosceptics, with the provisional wing arguing against the official wing. I cannot accept that people I have heard speaking in a Eurosceptic fashion on other issues seriously believe that the Brussels bureaucrats are going to be terrified by the prospect of the British Government raising the issue—I can just see them running off into the bars to have a stiff drink in fear lest this issue be raised! Goodness me, if the drafters of this amendment had been serious they might have said that they urged the Government to "Stamp their foot on the floor if they do not get their way," or "Write rude words on the toilet wall if nobody pays any attention," because that would have much the same impact. This is a bit like a child in the classroom threatening to hold their breath until they are sick unless teacher gives them an apple. It is weak and miserable, and smacks of the Yosser Hughes phrase, "Gissa job."

Those who drafted and signed the amendment have been far too easily bought off by the Government Whips. Perhaps some among them are deluded, but perhaps the others have set their price too low. If Members show our party Whips that we are prepared to be resolute, even though they might have told us that their current offer—or bribe—is the only one available, they will ultimately find another that might be more to our liking.

We must recognise that the eurozone's problems are economic manifestations of political problems. The eurozone—its creation and membership—is clearly a political construct, and the admission of Greece was politically, rather than economically, decided. I think we all know that the Greeks lied about their economy in order to get into the eurozone. The problems that have now arisen have not come out of a clear blue sky; not only were they predictable, they were predicted. It was predicted that these problems would arise. Therefore, those who are now running about like headless chickens pretending it is all the fault of bad snow, leaves on the line, sunspots and other events that could not possibly have been foreseen, are doing themselves and this House a disservice. We must recognise that these are political issues that have to be handled in a political fashion.

I recognise that we have an economic interest in the well-being of the eurozone, but the Liberal position seems to be that because this is a political construct they wish to support, we have to keep shovelling in money regardless of how much it costs. I agree with those who say that we have spent enough and we must spend no more. I certainly agree with the position of the previous speaker, who seemed to be saying that we are looking for great things from this Government in terms of freezing or reducing the overall level of the EU budget. This debate should be a prelude to that argument that we must have. We should be taking a robust and vigorous line on this, in order to ensure that there are no concessions on the EU budget.

I will vote with whoever I think is most extreme on this matter. It seems to me that that is the only way we can gain Europe's attention. Simply threatening to stamp our feet and indicate our displeasure will be brushed aside, as will simply acquiescing in the Government Whips' bidding. This is an issue on which we must vote extremist, so that the UK Independence party does not come and get many of the Members on the Government Benches.

3.8 pm

Mr Douglas Carswell (Clacton) (Con): We are told that the Government's priority is to cut the deficit, and rightly so—but why, therefore, are we assuming the vast liabilities of other countries? Having struggled for the past year to cut £6.2 billion from our public spending, why do we sign up to bail-out commitments twice as great, all in order to bail out a currency we chose not to join? We have been told that the bail-outs are to help our friends, but since when do we help a friend in debt by pressing upon them a high-interest loan? A year of bail-outs has not removed the debt burden from our neighbours and friends; it has merely increased it.

[Mr Douglas Carswell]

We have endlessly been told that by bailing out the countries in question we are rescuing the people of Ireland, Portugal and elsewhere. I am not sure that the people of those countries quite see those bail-outs as such a salvation. Like the people of Argentina a decade ago, they increasingly recognise that their economic well-being is being sacrificed by politicians in pursuit of grandiose dreams of monetary union. We have heard how these bail-outs will buy time, but time for what? Are they buying time for the bondholders to pass the weight of their losses on to the shoulders of taxpayers? Ministers have sought to reassure us that UK liabilities for the bail-outs will be limited until 2013, but we need to look at the sheer volume of debt that needs to be rolled over in the affected countries in the next 18 months—limiting our liabilities until 2013 is little comfort to those who care to look at the maths.

We have been told that Britain will get this money back, yet at the very moment that Greece hovers on default we proceed to lend £4.2 billion to Portugal. We have also been told that there is something unavoidable about the bail-outs. It is supposedly a deal struck by the former Chancellor at the ECOFIN meeting on 8 May last year, but I can find no evidence to suggest that we sought to challenge it in the ECOFIN meeting in the week that followed. If Ministers were really reluctant participants in the stabilisation mechanism, why did the Economic Secretary to the Treasury write on 18 July last year:

> "While these decisions were taken by the previous government, this Government judges them to be an appropriate response to the crisis."?

That does not sit entirely comfortably with the idea of Government reluctance to join in the bail-outs. If this Government were reluctant about the deal that they claim they inherited, why are we promoting the senior official behind it to be the next ambassador to Brussels?

We have sat here for too long listening to what Ministers tell us. We have been fed too many bogus assurances and too many reasons that have turned out to be excuses. The bail-outs are not only ruinous and quite possibly illegal; they are indefensible. They mean that although we may not be in the euro as a currency union, we have been dragged into it as a debt union. It is not enough simply to listen to further assurances given from the Dispatch Box as Ministers regurgitate what officials permit them to say. This House needs to instruct the Government to act. It is not time for spoiler amendments designed to stop short of instructing the Government to act. It is not time for carefully calibrated wordplay intended to create the illusion of opposition to the bail-out when such opposition does not exist. There is only one way to vote today to halt the haemorrhaging of our cash. I urge colleagues to support the motion in the Lobby, and to reject the Whips' efforts to water it down with this disgraceful amendment.

3.12 pm

Michael Connarty (Linlithgow and East Falkirk) (Lab): I am pleased to follow the hon. Member for Clacton (Mr Carswell), because he talked about something that should be discussed more in this place: the plight of the people who are suffering problems because of their own Government's mismanagement. My Eurosceptic colleagues on the Labour Benches are still against the common market—they are not really against the European Union as such—whereas the Eurosceptics on the Government Benches are, honourably, against the EU as a project. As they know, the problem I have with this whole debate is that all these manifestations have nothing to do with our being in the eurozone; they are to do with the failure of Governments to use the money that they had available, their own economic powers and the money made available to them by the EU in their period of transition into the EU to do the right things and invest correctly in the skills of their people and in the supply side of their economy, rather than spending the money on large economic projects.

For example, when we go on a cheap holiday to Portugal we can drive on excellent motorways directly from the airport to the place where we will lie in the sun, and the hotels and large boulevards will have been paid for by EU money. However, the young people of that country fail to get a decent education, proper skills and university places. The reality of these countries is that they have under-invested in their own people. That criticism cannot be levelled at the UK.

The eurozone offers these countries a way out of their dilemma that, as a socialist, I do not particularly find attractive; they will be asked to cut further their budgets, which should be invested in their social infrastructure and the supply side of their economy. That will cause them great harm, but that offer will be made to them by the International Monetary Fund, the World Bank and so on because it is the capitalist model. That model says, "When you are in trouble, slash your budgets in the public sector." Now, where have I heard that before? I have heard it from those on the Government Front Bench and from every Government Back Bencher. They have been told that every time they get up they should use the mantra about how they have to slash and burn the economy of this country—thus denying the young people of this country the chance to look for a better future—because of the problem of debt.

That situation will be the consequence for Greece, Portugal and Ireland. It is what is happening in Ireland, and the young people in Spain are worried that it will happen to them. That country is a good example of a place where major infrastructure projects have been financed by the EU and the supply side of the economy has been run down. I have met many young people in Spain who say, "It was easy to leave school at 16 and get a job building houses, but nobody can afford to buy them now. It was good money, the sun was shining and everything was going to be fine." Suddenly, these people find that they have no skills, no jobs and no future.

Mr Redwood *rose*—

Michael Connarty: I will give way in a moment.

Everything I am discussing is the consequence of the things that the Governments of these countries did; this was not about the EU being in existence and not about their being members of the eurozone. These things were done by those Governments. The offer is that the IMF, the World Bank and the eurozone countries, mainly, will bail out those countries.

Mr Peter Lilley (Hitchin and Harpenden) (Con) *rose*—

Michael Connarty: I am about to give way to the right hon. Member for Wokingham (Mr Redwood). A small part of the bail-out will be a fund, to which we have signed up, that will give a loan to those countries to help them to get over this unattractive prospect of having to face down their own people and cut their own services because of the lack of good Government management, so that they can be bailed out.

Mr Redwood: Does the hon. Gentleman not see that these countries are locked into a currency at a rate that makes them completely uncompetitive, which is why they have mass unemployment and why lending them money does not get them out of the mess?

Michael Connarty: I do not see that. What the right hon. Gentleman says may be a good indicator of where this debate is coming from. This is not about the European mechanism; this is about wanting to destroy the euro, to see it bust and to see it fail. If that is what it is about, people should stand up and say so; they should not lie to the people of the UK or mislead them by saying that it is about something else. People should be told the truth. I know that some Labour Members would certainly like to see the European monetary project and the euro completely collapse. If that is the agenda of Members on the Government Benches, they should say so.

The prospect I was describing is not one that I find attractive. In the modern world economy we clearly need to have a large trade bloc, probably united in some way around a monetary discipline, that faces down the problems coming from the United States of America, which is in the most unbelievable debt to the rest of the world. That country is run on the basis of its economy always being indebted to other countries. What will come from China and from Africa? That is part of this whole issue, and I hope that one day we will have the courage to move into that area, but what we are talking about is a very small loan of £4 billion, which will come back to the people of this country eventually when these countries are resettled in a new economic environment.

We hear hon. Members go on and on as if they are doing something wonderful in defending the UK, but they are not. We are talking about "beggar your neighbour" politics here and I am not prepared to vote for that. I applaud the Government for being honest and sincere about the fact that this European project either collapses or it is supported by all of us in different ways. I believe that the interest of the people of the UK lies in maintaining the eurozone and the euro, and helping countries when they fall into indebtedness. I hope that the Government will persuade hon. Members to reject the proposals before them.

3.18 pm

Margot James (Stourbridge) (Con): I wish to preface my remarks by acknowledging the hard work and bitter battles engaged in by so many members of my party, several of whom are in the Chamber today, that resulted in the freedom that our country enjoys in not being part of the euro. That the euro has proved such a disastrous policy for members of the eurozone is evident to all. The improvements to our trade balances and the growth in our exports this year would not have been possible without the devaluation of sterling. The recovery of our manufacturing sector and the stabilisation of employment figures have been facilitated by the low interest rates that the UK, unconstrained by membership of the euro, has been free to pursue.

I share the view, in principle, that as we are not part of the eurozone we should not be bound by its bail-out commitments. That principle has, I believe, been upheld by our Government, but our Government cannot undo the commitments set in stone by the previous Government. The die was cast at the ECOFIN meeting last May when the UK agreed to the creation of the €60 billion European financial stability mechanism. That placed an obligation on the UK to underwrite emergency loans to crisis-hit member states.

Mr Cash: I do not want to interrupt my hon. Friend's flow, but it was open to the Government to challenge the issue before the European Court and they did not do so. It was open to them to say that they would veto the treaty unless we had an unravelling of the EFSM, but they chose not to do so. They went for integration, not for dealing with the situation.

Margot James: I thank my hon. Friend for his intervention, but I shall proceed to make the point that it is no good dwelling on what our Government should or should not have done and whether the former Chancellor should have committed the UK to the EFSM. The point is that the Labour Government signed up to the Nice treaty way back and gave away our veto on the costly European bail-out funds. The decision to establish the EFSM was therefore subject to qualified majority voting and would have been passed. I am not convinced that there is any basis in law to challenge that decision.

The other question raised by the motion concerns whether the loans granted under the EFSM are being granted correctly given the requirement that they should be made in conjunction with the IMF and the other much larger European financial stability facility, in which Britain, thanks to our Government, has no obligation. Under the terms of the proposed loan to Portugal, those three sources of finance share the commitment equally. If there is evidence that the EFSM is bearing a disproportionate load compared with the other two sources of finance, the Government should raise that at the next meeting of the Council of Ministers or the European Council. I cannot see any argument with that.

I contend that the situation facing Europe is so dire and potentially calamitous that we might well look back at this time and conclude that being up for a proportion of the loans distributed by just the EFSM, commensurate with our share of the European budget, was the least of our problems. The Government are to be congratulated on securing a complete withdrawal from Britain's liability from 2013 and a very tight cap on anything we might have to underwrite between now and then—something akin to just 1% or 2% of the potential total bail-out loan facilities that might be called on by the eurozone countries. I will therefore support the amendment to the motion proposed by my hon. Friend the Member for Daventry (Chris Heaton-Harris).

3.23 pm

Claire Perry (Devizes) (Con): I speak with some trepidation from the depths of the Maastricht maestros on the Government Benches. If I may echo the point

[Claire Perry]

made by my hon. Friend the Member for Stourbridge (Margot James), it is a tribute to many people, surrounding me today and not in the House, that we are no longer part of the euro and that we have been able to establish a healthy Euroscepticism both in opposition and since we came into government.

Let me go back in history to see how we reached this sorry state of affairs. Many Members will remember the debates around the time of the Nice treaty in 2001. Indeed, there are Ministers on our Benches today who urged the Government of the time in the strongest possible terms not to sign up to the treaty as they believed it would give away any future veto on bail-out mechanisms. We were assured at that time by the then Minister for Europe that article 103 made it clear that there would be no bailing out of member states, whether that meant Britain or any other member state. I question whether the Minister for Europe at that point knew what was being done.

In May 2010, the acting Chancellor of the Exchequer signed Britain's commitment to the temporary European financial stability mechanism. Our total commitment is 12.5% of the putative total of €60 billion—€7.5 billion, a substantial sum. Later, I shall address what that means for hard-pressed British taxpayers. First, let me move the timeline further forward one step to December 2010. As has been said several times, the Conservative Chancellor of the Exchequer agreed that Britain would play no further role in a permanent European bail-out facility and also fought for and had implemented a number of stringent requirements for draw-downs from the existing facility.

What will this facility cost the taxpayer? As my hon. Friend the Member for Orpington (Joseph Johnson) said earlier, it is a contingent liability. A number of things must happen before there is any cash bail-out. The entire thing has to go belly up and the countries all have to default. Given that our ranking on this debt is pari passu with the facilities put in place by the IMF, we will have a superior credit position and will be paid first in the unlikely event that there is a partial or full default. It is not a gift or a grant but a contingent liability of €7.5 billion, of which approximately €1.2 billion has been put into the facility to date. The suggestions we often hear from Members on the Government Benches that hard-pressed taxpayers will see further cuts to public services or will not see the schools, hospitals or road repairs that they have been promised are simply fiction. It is not the case.

This amount is a proportion of the EU budget and the budget is agreed for this year, so the liability is capped at this level. There is no further liability under the facility. What is the "so what" of this point? It is my belief that the action of this Government's Chancellor has stopped Britain further sleepwalking into handouts, bail-outs, gifts or grants to the European Union. This fund is a eurozone experiment about which we have many concerns and I share the concerns that have been eloquently raised by Government Members about the long-term future direction of countries that are hamstrung by the tightness of their currency conditions and the overall problems with their economies.

A Conservative Chancellor argued for tough conditions and pari passu rating with IMF debt for this facility, the only facility in which we have involvement. If hon. Members consider the conditions under which a country can access the facility, they will see that extremely tight conditions must be met and plans must be made. Although the situation is not ideal, the Government have done far more than the previous Government to put a stop to such developments—in fact, they have done the opposite of what that Government did for 13 years. The point that has been made about fighting to ensure that there is equal draw-down from the facility is right and I believe that the amendment also calls for that.

I urge Members on both sides of the House to stop this Eurosceptic scaremongering, to focus on the facts of the debate and to ensure that we collectively never again sign our country up to the sort of bail-out mechanisms and removal of vetoes with which the previous Government left us.

Mr Deputy Speaker (Mr Lindsay Hoyle): I call Andrea Leadsom. You have two minutes before the Front-Bench wind-ups.

3.28 pm

Andrea Leadsom (South Northamptonshire) (Con): I stand here as a big fan of Europe but a big enemy of the European Union, and I want to share a few of my passions with you, Mr Deputy Speaker. First, I want to share my anger at the Opposition for their failure to give us the referendum on the Lisbon treaty that they promised. I also want to share my fury at the former Chancellor for signing us up to the EFSM that has caused so many problems—the reason we are having this debate. Finally, I would like to share my gratitude to the former Prime Minister for not taking us into the euro.

I want to spend a moment talking about our friends the Europeans who find themselves in an extraordinarily difficult position. At the moment, 10-year Government bonds in Portugal are trading at around 64 cents in the euro, while in Ireland they are trading at around 66. In Greece they are trading at around 51—that is about 51 cents in the euro for Greek 10-year Government bonds—which basically means that when our European friends have to lend them money, as they will undoubtedly have to do, it will effectively be half a gift and half a loan. We in this country are extraordinarily lucky that our Front Benchers have enabled us to withdraw entirely from the bail-out mechanism from June 2013. We should praise the Prime Minister and the Chancellor for arranging matters so that we will not, over the longer term, have to suffer the price that will undoubtedly be the case for our European friends.

3.30 pm

Chris Leslie (Nottingham East) (Lab/Co-op): May I pay tribute to the hon. Member for Rochester and Strood (Mark Reckless) for securing this important debate? This is one of those occasions that make me think that there are not just two parties in the coalition.

We need to clarify some of the history to this issue because I get the impression that certain hon. Members are labouring under a false set of impressions about the European financial stabilisation mechanism. Of course there were the ECOFIN meetings of 9 and 10 May at which the EFSM was agreed to as part of the package of measures to maintain financial stability across Europe.

It was against that backdrop that my right hon. Friend the Member for Edinburgh South West (Mr Darling), the former Chancellor of the Exchequer, consulted both the current Chancellor and the Business Secretary, and cross-party consensus had been gained. Those are not my words but those of the Economic Secretary to the Treasury. The explanatory memorandum that she signed on 15 July 2010 in her own fair hand—Justine Greening, Economic Secretary—says those words:

"cross-party consensus had been gained."

I know it is convenient for Ministers and some hon. Members to rewrite history and to give a partial account of what happened and about these important facts, but there it is in writing. *[Interruption.]* If hon. Members want to dispute the words of their honourable colleague on the Front Bench I am happy to give way to them.

Mr Cash *rose—*

Chris Leslie: In a moment. In a letter of 18 July 2010 to the Chairman of the European Scrutiny Committee, to whom I shall give way in a moment, the Economic Secretary also said, very helpfully, that

"this Government judges"

the EFSM

"to be an appropriate response to the crisis."

So the official voice of the Government, according to what the Economic Secretary has written in her own fair hand, was that there was a consensus approach during the transitional period following the general election and that the current Government judged the EFSM to be an appropriate response to the crisis.

Mr Cash: Does the shadow Minister accept that the date on which that particular statement was made, 15 July 2010, was four days after the expiry of the date on which a challenge to the European Court could have been made? Furthermore, does he accept that since then the Government have insisted that they oppose the proposal of the former Chancellor of the Exchequer?

Chris Leslie: That is an extremely illuminating fact and it would be perfectly legitimate for Members on the Government side, perhaps in private meetings elsewhere, to ask a few more searching questions about what exactly their Front Benchers have been doing in their name. Either the Minister who signed the memorandum was wrong—perhaps she was misled in her understanding or she and her officials were ignorant of the facts—or perhaps she was actually speaking the truth but was subsequently slapped down by the Chancellor.

Joseph Johnson: Will the hon. Gentleman give way?

Chris Leslie: I will not because I have only a few minutes left.

The situation has changed markedly since last May. The circumstances under which the EFSM was then agreed have altered, casting doubt on whether it is being used appropriately, as many hon. Members have said. Because of the various weaknesses shown by the current Administration in Europe, we have ended up increasingly paying more than our fair share in relation to the EFSM facility, especially as time and again the junior EFSM fund in the bail-out package has ended up shouldering up to a third of the bail-out costs, as some hon. Members have pointed out. We have found that the agreement in May regarding the EFSM sum of €60 billion would represent only 12% of the non-IMF contribution, with the remaining €440 billion being borne by the wider eurozone fund. The British liability for that was going to be only 12.5%, but the proportion contributed from the EU-wide EFSM to the Irish bail-out was greater than the eurozone proportion. The Portuguese bail-out was hardly an improvement, with one third coming from the EFSF, one third from the EFSM and another third from the IMF.

The Minister must explain to the House why the EFSM, which makes up only 12% of the non-IMF contribution, is being drawn upon to the same extent as or more than the EFSF. That forms a crucial part of the motion tabled by Back Benchers. The Minister is under an obligation at least to say why we are using the EFSM to such a high degree. That is incredibly important. It has been in the gift of Ministers to answer that question, but so far they have neglected to do so.

The EFSM was supposed to be a temporary mechanism all along. The failure of the Government to push forward with a permanent mechanism, despite opportunities to do so, is an abandonment of UK interests. The temporary emergency EFSM was only ever meant to be a short-lived interim arrangement. We should have been moving on as quickly as possible to a permanent eurozone-only mechanism. Why has the Chancellor failed to press his European colleagues to sort out a permanent eurozone-only fund more urgently?

The Chancellor attended an ECOFIN meeting on 18 May. The Financial Secretary attended ECOFIN on 8 June last year, the Chancellor on 13 July, the Chancellor again on 7 September and the Financial Secretary again on 30 September, yet the press releases from each of those ECOFIN meetings suggest that not once did Ministers raise the issue of pressing forward with that permanent arrangement. Can the Minister explain why not?

Mr Davidson: The shadow Minister is rightly attacking the Government for being weak and vacillating. Will he tell us what bold, straightforward and clear position he is urging us to take on the vote?

Chris Leslie: I am happy to do that. Unfortunately, the wording of the motion refers to the legality of the EFSM, and I do not think the former Chancellor, my right hon. Friend the Member for Edinburgh South West (Mr Darling), would have acted illegally to sign up to it. I accept that that is a small point, but it is for that reason that we will abstain today.

We will have to revisit the issue time and again. It is hugely important that hon. Members understand the situation. We have not yet seen any occasion on which Ministers have raised the subject of moving to the permanent arrangement as swiftly as they can. They claim that they are responsible for having secured a commitment to move to a permanent arrangement in 2013. The temporary arrangements were always going to expire in 2013 anyway. So much for the famous victories claimed by the Prime Minister, the Minister and other hon. Members.

Too often we have an empty chair at the European table. Only a few weeks ago, on 6 May, Britain was excluded again from a meeting that took place in

[Chris Leslie]

Luxembourg—the empty-chair approach was very evident when ECB officials met the Finance Ministers of Germany, France, Italy, Spain and Greece. Will the Minister say whether there was an active decision by the Treasury to continue to take an empty-seat policy, or were we simply not invited? We see in the *Financial Times* that Swedish officials are concerned that the Prime Minister is not pressing harder to prevent key decisions from being made only among eurozone members. Will the Minister say what we are doing to stop being sidelined at that European level?

We know very well that that temporary fund was needed. We recognise that it was part of a concerted pan-European action, standing together against the global forces that threatened the bond market with contagion. That is especially the case now in the eurozone. We have to acknowledge that we have trading partners in Europe and it is in our interest to support their continued economic stability, but Britain has already paid its fair share in the stabilisation process in the case of Ireland and Portugal. The time has come for a stronger voice with real influence in Europe to ensure that British interests are properly served, which must mean a swifter move to a permanent eurozone-only bail-out mechanism.

The fund was always due to expire in 2013. That was not Ministers' doing; it was the original design. We know that Ministers were involved in the cross-party consensus during the transition from the previous Government to the present one. Ministers cannot wriggle out of their responsibility now in relation to the EFSM. The Government are on extremely shaky ground and even their natural allies are questioning the coalition's leadership. The issue will no doubt return on another day.

3.40 pm

The Financial Secretary to the Treasury (Mr Mark Hoban): I congratulate my hon. Friend the Member for Rochester and Strood (Mark Reckless) on securing the debate. I will start by setting out our view, which is that responsibility for sorting out the problems of the euro area ultimately rests with euro area Governments. We are not members of the euro area, so it is not our responsibility to deal with all its problems. However, no one should be under any misapprehension about the importance of the euro area to the UK economy.

A strong euro area means a growing market for our goods and services. A weak euro area puts at risk jobs and businesses in our constituencies, as my hon. Friends the Members for Orpington (Joseph Johnson) and for Bristol West (Stephen Williams) noted in their contributions. More than 40% of UK exports are to the euro area, and we know, as has been repeated ad nauseam, that we export more goods and services to Ireland than we send to Brazil, Russia, India and China combined. We have a clear interest in ensuring that the problems in the euro area are resolved and that the right mechanisms are in place to do so, but it is not our responsibility to sort them out and it is right, as the amendment makes clear, for us to find a permanent solution that does not require us to contribute to this.

Mr Redwood: Will my hon. Friend give way?

Mr Hoban: If my right hon. Friend will be patient with me, I want to respond to some of the important points raised by a number of Members who have contributed to the debate. If I have time at the end, I will take interventions.

My hon. Friend the Member for Rochester and Strood said that taxpayers had contributed £12.5 billion to bail out euro area states, but that is simply not the case. Let me explain why. The European financial stability mechanism is funded by the European Commission borrowing from capital markets, and it is only in the event that a beneficiary member state defaults that the EU budget, and so the UK, will be called upon to contribute. The UK does not fund the EFSM, which is a contingent liability. Not a single pound of taxpayers' money has gone into the EFSM. On Ireland, as my hon. Friend the Member for Devizes (Claire Perry) has said, we have made a loan, not a gift or a grant, and we expect to get our money back. Not a penny of the money that we have saved through spending cuts has been used to make that loan.

Let me go back to the events of a year ago. Europe faced a crisis, with concerns about the stability of Greece, and in the May ECOFIN meeting the EFSM and the EFSF were created. They were created at the height of the Greek crisis, in exceptionally turbulent conditions, before the Government took office. Markets were increasingly questioning the EU's response to the situation. Indeed, there were fears about the stability of the entire euro area and the risk of contagion was real and dangerous. European Finance Ministers decided to create a broader package to restore confidence and stability. ECOFIN agreed to establish the EFSM and at the same time euro area Finance Ministers agreed to create the much bigger EFSF, which is backed entirely by euro area countries and does not create any liability for the UK.

It is worth reminding hon. Members that, although the Greek crisis triggered the creation of the new mechanism, the EFSM was not used by Greece. The Greek rescue package was financed by the IMF and a series of bilateral loans between individual euro area member states and the Greek Government.

The EFSM was agreed at ECOFIN by qualified majority voting and before this Government took office, and Cabinet Office protocol was followed throughout. At the time, in a conversation with his predecessor, the current Chancellor made his views on the EFSM clear and cautioned against committing the UK to proposals that would have a lasting effect on the UK's public finances. Members need not take my words for it; the right hon. Member for Edinburgh South West (Mr Darling) gave his recollection of the conversation to the House on 15 December 2010:

> "I discussed with the Chancellor what we should do about the financial stability mechanism. He had his reservations and stated very clearly that he was against deploying it".—[*Official Report*, 15 December 2010; Vol. 520, c. 954.]

That exactly matches the account given by my right hon. Friend the Chancellor.

Chris Leslie: Will the hon. Gentleman give way?

Mr Hoban: No. As I said earlier, I want to make some progress on the matter.

My right hon. Friend was also clear that, in the days prior to the formation of the coalition, the right hon. Member for Edinburgh South West was still the Chancellor of the Exchequer, representing the UK in a dynamic negotiating environment, and it was for him to reach that decision.

The hon. Member for Nottingham East (Chris Leslie) quoted an extract from an explanatory memorandum, and yes there was consensus between the parties about the process, but not about the outcome—as the former Chancellor of the Exchequer made clear in his statement to the House in December. It was a matter for the previous Chancellor to decide, and he was the man occupying the office at the time.

Some of my hon. Friends have today articulated concerns about the use of article 122. The EFSM was created following agreement by a qualified majority of member states at the ECOFIN meeting on 9 May 2010, and the terms of the mechanism are set out in an EU Council regulation. It is based on article 122 and states:

> "Where a Member State is in difficulties or is seriously threatened with severe difficulties caused by natural disasters or exceptional circumstances beyond its control, the Council, acting by a qualified majority on a proposal from the Commission, may grant, under certain conditions, Community financial assistance to the Member State concerned."

The Council decided that in those circumstances those criteria applied.

Several hon. Members have raised the issue of article 125 of the treaty, the so-called "no bail-out" clause, but article 125 does not preclude member states from providing loans to one another, and, as evidence of that, the EU's balance of payments facility has already provided medium-term financial assistance to a number of member states.

Over the past year, we have had to deal with the legacy that we inherited from the previous Government and the previous Chancellor of the Exchequer, but we have made sure that the permanent arrangements to sort out the euro area are the ultimate responsibility of euro area member states.

My right hon. Friend the Prime Minister made that his goal at last December's European Council, where he secured two significant victories for the UK. First, he made sure that article 122 could not be used for euro area bail-outs in the future. Secondly, he ensured that the UK would not have to contribute to the European stabilisation mechanism, the permanent mechanism that will replace the EFSM and the EFSF. As the Prime Minister said, we have a good "belt and braces" approach—a no need, no use approach.

Mr Cash: Will my hon. Friend give way?

Mr Hoban: If my hon. Friend allows me to continue for a few minutes longer, I may be able to take some interventions.

We ensured that the recitals—the preamble—to the decision by Heads of State and of Government at the March European Council stated that article 122

> "will no longer be needed"

and "should not be used" to ensure financial stability for the whole euro area once the permanent mechanism is in place.

In shaping the debate about the ESM, we had clear priorities. First, we had to ensure that there was no transfer of powers from the UK to the EU. We would never have accepted such a transfer, so the treaty change applies only to euro area member states, and only euro area member countries have to contribute to the rescue of other euro area countries. There is no transfer of power, competence or, indeed, funds from the UK to Brussels under that treaty change, but that judgment will not be for Ministers alone.

Mr Cash: Will my hon. Friend give way?

Mr Hoban: I have two minutes left to conclude my remarks and to respond to the very detailed questions that hon. Members on both sides have raised, so I should like to continue to do that.

The treaty change was agreed at the Council in March and will have to be ratified according to the process set out in the European Union Bill. Ministers will need to make a statement explaining why the treaty change does not transfer power or competence from the UK to Brussels, and Parliament will need to pass primary legislation before the UK can ratify that change.

Mr Cash: One last time?

Mr Hoban: I will give way to my hon. Friend—briefly.

Mr Cash: On the Minister's own terms, it is absolutely clear that the Chancellor of the Exchequer was against those arrangements, so why in that two-month period did the Government not challenge them in the European Court of Justice?

Mr Hoban: My hon. Friend and his Committee have a particular view on the legality of the arrangements, but as I have said there was a clear view that article 122 could be used in those circumstances.

Although we have had to live with the decisions of the past and the EFSM, we have fought to free our nation from the constraints of those decisions in the future. We will not have to contribute towards a European rescue of another euro area member state once the permanent ESM comes into force.

I believe that the amendment tabled by my hon. Friend the Member for Daventry (Chris Heaton-Harris) captures the essence of our position. As a consequence of the action taken by the previous Government, we are part of the EFSM. This Government have had to ensure that we are outside the scope of the permanent mechanism. My right hon. Friend the Prime Minister has already delivered that commitment at the European Council in December. I hope that my hon. Friends recognise that the action we have taken has freed the UK from the obligation to take part in future bail-outs of euro area member states.

3.50 pm

Mark Reckless: So the Treasury agrees that this is unlawful, but it is not going to do anything about it.

In the debate, it was suggested that these bail-outs were a rounding error. My constituents do not believe that £500 per household is a rounding error. It was also suggested that perhaps these moneys are going to be paid back and there will not be defaults. Well, if Members believe that, why do they not invest their own money rather than that of their constituents? My hon. Friend the Member for South Northamptonshire (Andrea Leadsom) said that it would be possible to get a return of 50% or 100%. Does not that suggest that we will not be getting our money back?

[Mark Reckless]

Today Members face a choice. If they believe that it is sufficient to urge the Government to raise the issue, then vote yes to the amendment regrettably tabled by my hon. Friend the Member for Daventry (Chris Heaton-Harris). If they believe that we need to put a stop to these bail-outs and say, "Enough is enough, it is our money, we did not join your currency, and we want our money back", then vote no to the amendment. I am disappointed to hear that Opposition Members will not be joining us in the Lobby on this occasion. The hon. Member for Nottingham East (Chris Leslie) put his position honourably; perhaps one day he will have a leader who will lead. For now, however, the position is that these bail-outs continue and our constituents' money is being thrown away—good money after bad.

This is an opportunity for Members of this House to stand up, to look our constituents in the eye, and to say that we voted no to the bail-outs. Please vote no to the amendment.

Question put, That the amendment be made.

The House divided: Ayes 267, Noes 46.

Division No. 286] **[3.52 pm**

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Amess, Mr David
Andrew, Stuart
Arbuthnot, rh Mr James
Bacon, Mr Richard
Bagshawe, Ms Louise
Baker, Norman
Baldry, Tony
Baldwin, Harriett
Barclay, Stephen
Barker, Gregory
Barron, rh Mr Kevin
Barwell, Gavin
Bebb, Guto
Benyon, Richard
Birtwistle, Gordon
Blackman, Bob
Blackwood, Nicola
Blunt, Mr Crispin
Boles, Nick
Bottomley, Sir Peter
Bradley, Karen
Brake, Tom
Bray, Angie
Brazier, Mr Julian
Bridgen, Andrew
Brine, Mr Steve
Brokenshire, James
Brooke, Annette
Browne, Mr Jeremy
Bruce, rh Malcolm
Buckland, Mr Robert
Burns, rh Mr Simon
Burrowes, Mr David
Burstow, Paul
Burt, Alistair
Burt, Lorely
Byles, Dan
Cairns, Alun
Campbell, rh Sir Menzies
Carmichael, rh Mr Alistair
Carmichael, Neil
Chishti, Rehman
Clark, rh Greg
Clarke, rh Mr Kenneth
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Connarty, Michael
Cox, Mr Geoffrey
Crockart, Mike
Crouch, Tracey
Davey, Mr Edward
Davies, David T. C. *(Monmouth)*
Dinenage, Caroline
Djanogly, Mr Jonathan
Donohoe, Mr Brian H.
Dorries, Nadine
Doyle-Price, Jackie
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Jonathan
Evennett, Mr David
Fabricant, Michael
Fallon, Michael
Field, Mr Mark
Foster, rh Mr Don
Francois, rh Mr Mark
Freeman, George
Freer, Mike
Fuller, Richard
Gale, Mr Roger
Garnier, Mr Edward
Garnier, Mark
Gauke, Mr David
George, Andrew
Gibb, Mr Nick
Gilbert, Stephen
Gillan, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grayling, rh Chris
Green, Damian
Greening, Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hague, rh Mr William
Halfon, Robert
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, Matthew
Hands, Greg
Harper, Mr Mark
Harris, Rebecca
Hart, Simon
Harvey, Nick
Haselhurst, rh Sir Alan
Heald, Oliver
Heath, Mr David
Heaton-Harris, Chris
Hemming, John
Hendry, Charles
Herbert, rh Nick
Hinds, Damian
Hoban, Mr Mark
Hollingbery, George
Holloway, Mr Adam
Hopkins, Kris
Howarth, Mr Gerald
Howell, John
Hughes, rh Simon
Huhne, rh Chris
Hunt, rh Mr Jeremy
Huppert, Dr Julian
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kirby, Simon
Knight, rh Mr Greg
Laing, Mrs Eleanor
Lamb, Norman
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Jessica
Lee, Dr Phillip
Leech, Mr John
Lefroy, Jeremy
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lloyd, Stephen
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Luff, Peter
Macleod, Mary
May, rh Mrs Theresa
Maynard, Paul
McIntosh, Miss Anne
McLoughlin, rh Mr Patrick
McVey, Esther
Menzies, Mark
Mercer, Patrick
Metcalfe, Stephen
Miller, Maria
Mills, Nigel
Milton, Anne
Mordaunt, Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Mowat, David
Mulholland, Greg
Mundell, rh David
Munt, Tessa
Murray, Sheryll
Murrison, Dr Andrew
Neill, Robert
Newmark, Mr Brooks
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O'Brien, Mr Stephen
Offord, Mr Matthew
Ollerenshaw, Eric
Paice, rh Mr James
Parish, Neil
Patel, Priti
Pawsey, Mark
Penning, Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Pickles, rh Mr Eric
Pincher, Christopher
Poulter, Dr Daniel
Prisk, Mr Mark
Pritchard, Mark
Pugh, John
Raab, Mr Dominic
Randall, rh Mr John
Reid, Mr Alan
Robertson, Mr Laurence
Rogerson, Dan
Rudd, Amber
Ruffley, Mr David
Russell, Bob
Rutley, David
Sanders, Mr Adrian
Scott, Mr Lee
Selous, Andrew
Sharma, Alok
Shelbrooke, Alec
Simmonds, Mark
Simpson, Mr Keith
Skidmore, Chris
Smith, Miss Chloe
Smith, Julian
Smith, Sir Robert
Soames, Nicholas
Soubry, Anna
Spelman, rh Mrs Caroline
Spencer, Mr Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory

Streeter, Mr Gary
Stride, Mel
Stuart, Mr Graham
Sturdy, Julian
Swales, Ian
Swayne, Mr Desmond
Swinson, Jo
Swire, rh Mr Hugo
Syms, Mr Robert
Thurso, John
Timpson, Mr Edward
Tredinnick, David
Tyrie, Mr Andrew
Uppal, Paul
Vaizey, Mr Edward
Vara, Mr Shailesh
Villiers, rh Mrs Theresa
Walker, Mr Robin
Wallace, Mr Ben
Walter, Mr Robert
Ward, Mr David
Webb, Steve
Wharton, James
Wheeler, Heather
White, Chris
Whittaker, Craig
Wiggin, Bill
Willetts, rh Mr David
Williams, Hywel
Williams, Mr Mark
Williams, Roger
Williams, Stephen
Williamson, Gavin
Willott, Jenny
Wilson, Mr Rob
Wright, Jeremy
Wright, Simon
Yeo, Mr Tim
Young, rh Sir George
Zahawi, Nadhim

Tellers for the Ayes:
James Duddridge and
Stephen Crabb

NOES

Baker, Steve
Bayley, Hugh
Bingham, Andrew
Campbell, Mr Ronnie
Carswell, Mr Douglas
Cash, Mr William
Clappison, Mr James
Cooper, Rosie
Cryer, John
Davidson, Mr Ian
Davies, Geraint
Davies, Philip
Davis, rh Mr David
de Bois, Nick
Donaldson, rh Mr Jeffrey M.
Drax, Richard
Gardiner, Barry
Goldsmith, Zac
Gray, Mr James
Harris, Mr Tom
Henderson, Gordon
Hoey, Kate
Hollobone, Mr Philip
Hopkins, Kelvin
Jenkin, Mr Bernard
Leigh, Mr Edward
McCartney, Jason
McCartney, Karl
McDonnell, John
Mitchell, Austin
Nuttall, Mr David
Percy, Andrew
Reckless, Mark
Redwood, rh Mr John
Rees-Mogg, Jacob
Shannon, Jim
Sheridan, Jim
Simpson, David
Skinner, Mr Dennis
Stewart, Bob
Stringer, Graham
Tomlinson, Justin
Turner, Mr Andrew
Vickers, Martin
Walker, Mr Charles
Wollaston, Dr Sarah

Tellers for the Noes:
Mr Peter Bone and
Mrs Anne Main

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That this House notes with concern that UK taxpayers are potentially being made liable for bail-outs of Eurozone countries when the UK opted to remain outside the Euro and, despite agreement in May 2010 that the EU-wide European Financial Stability Mechanism (EFSM) of €60 billion would represent only 12 per cent. of the non-IMF contribution with the remaining €440 billion being borne by the Eurozone through the European Financial Stability Facility (EFSF), that the EFSM for which the UK may be held liable is in fact being drawn upon to the same or a greater extent than the EFSF; further notes that the European Scrutiny Committee has stated its view that the EFSM is legally unsound; urges the Government to raise the issue of the EFSM at the next meeting of the Council of Ministers or the European Council; and supports any measures which would lead to an agreement for a Eurozone-only arrangement.

Mr Bernard Jenkin (Harwich and North Essex) (Con): On a point of order, Mr Deputy Speaker. May I put it to you that the Backbench Business Committee is in fact not being allowed to operate as was clearly originally intended when it was established? Because the motion was amended, the Committee was unable to allow the House to vote on the motion that it had selected for debate. What advice can you give to the House on how that matter might be rectified so that in future, as on Opposition days, the motion is voted on before the amendment is taken? What advice can you give to enable that to happen in future?

Mr Deputy Speaker (Mr Lindsay Hoyle): I recognise that there is a lot of frustration at the way the motion was dealt with today. However, things have been carried out in order. I am sure that the Leader of the House will reflect on the hon. Gentleman's comments and think about them, but I am also sure that he will speak to the Committee to see whether there is a way forward for everybody. Hopefully, some amiable agreement can be reached in future, if that is the desire of the Committee.

Mr Davidson: Further to that point of order, Mr Deputy Speaker. Does that not demonstrate quite clearly that this set of Government Whips is just as bad as the previous one?

Mr Deputy Speaker: I thank the hon. Gentleman for that non-point of order.

Spring Adjournment

Mr Deputy Speaker (Mr Lindsay Hoyle): I remind the House that we will now have a six-minute limit on Back-Bench speeches right across the piece.

4.8 pm

Mr Peter Bone (Wellingborough) (Con): I beg to move,

That this House has considered matters to be raised before the forthcoming adjournment.

I move the motion on behalf of the Backbench Business Committee. It uses the Hollobone method.

Mr Deputy Speaker: Before I call the hon. Member for Birmingham, Yardley (John Hemming), I have been asked by Mr Speaker to remind him of his ruling yesterday, when he said:

> "I strongly deprecate the abuse of parliamentary privilege to flout an order or score a particular point...It is important...that we recognise the need to temper our privilege with responsibility."—[*Official Report*, 23 May 2011; Vol. 528, c. 653-654.]

I trust the hon. Gentleman will not test the patience of the Chair today.

JUSTICE

4.9 pm

John Hemming (Birmingham, Yardley) (LD): Thank you, Mr Deputy Speaker.

Hon. Members will be aware that I have a long-time concern about secrecy in court processes, which was highlighted in the story in *The Guardian* today. We have no true freedom of speech when people can be jailed for complaining about their problems. This country seems to have a penchant for covering up problems that would be discussed openly in others.

Florence Bellone, a Belgian journalist, recorded an interview with Carol Hughes and Lucille O'Regan in Ireland, which was broadcast on RTBF in Belgium. A copy was placed on YouTube, but access in the UK is now blocked as a result of what YouTube calls a "government request". What can be so frightening about that interview that people in the UK are not allowed to see it, but it can be broadcast in Belgium?

The policy of international websites varies. The Twitter account containing the names of lots of people subject to super-injunctions is still there, and will remain there for some time, yet newspapers in the UK are not allowed to refer to it by name. It is clear that in the UK people are now recognising the oppressive nature of court secrecy in this country. For instance, I wrote and released a song about this in 2008, the lyrics of which would have been in contempt of court had they not already been spoken in the House. Since then, however, things have got even worse, with the force of money being used to prevent women from complaining about their ex-boyfriends. One woman who received a super-injunction said to me:

> "The process is terrifying...For the first 2 months I shook! And I shake now when talking about it to someone".

Questions have been raised about whether I should have discussed the row between Ryan Giggs and Twitter yesterday. I am not a party to the privacy case. I have not been served with the injunction. I have not actually seen the injunction and cannot guarantee that it actually exists. I have read his name in the *Sunday Herald*, and on Wikipedia and Twitter. I could obviously stand on a soapbox in Scotland and say what I said in the House of Commons. I believe I could probably say it on Hyde park corner, because it is in the public domain. For me to have abused parliamentary privilege, I would have had to use it in the first instance, but I do not think that the case has been made that it would have been contempt of court outside the House.

I remain concerned, however, that the process of issuing contempt of court proceedings has been kicked off against users of Twitter. Someone should not be able to hide behind anonymity to take action against others. I am completely unsure what the legal position is in respect of naming Giles Coren. I do not think it would be contempt of court to name him outside the House, yet *The Times* was worried enough yesterday not to identify him—and he is one of its journalists. I will not identify the footballer whom, it is rumoured, would like to see him prosecuted for tweeting.

Adam Afriyie (Windsor) (Con): I fully approve of the hon. Gentleman's campaign to ensure that injunctions and super-injunctions do not interfere with our constituents' ability to contact us and speak to us about issues. However, will he explain to the House why he thinks he is judge and jury on whether certain people under court order should be named in this place? Why does he feel he has the right above anybody else? It seems very strange to use privilege in such a way.

John Hemming: I explained that those details were already in the public domain and accessible in *Forbes Magazine*, the *Sunday Herald* and many other places, so I do not think it would have been contempt of court outside the House. However, I accept the Speaker's ruling on this issue.

I refer hon. Members to a story in *The Guardian* today relating to another injunction. I shall read out the first paragraph:

> "A wealthy British financier is seeking to have his sister-in-law secretly jailed in a libel case, in the latest escalation of the controversy over superinjunctions and the internet, the Guardian can disclose."

What we have here is true secret justice: somebody is being prosecuted in secret; they cannot be identified; and the person prosecuting them cannot be identified. As a rule, the Attorney-General does not prosecute civil cases, which the privacy cases are; one of the parties usually prosecutes.

John Cryer (Leyton and Wanstead) (Lab): That has nothing to do with what the hon. Gentleman did yesterday.

John Hemming: Actually, it has everything to do with what I did yesterday, because Giles Coren was subject to similar contempt proceedings. There is a great danger that a secret form of jurisprudence will develop that aims to jail people in secret and keep their identities out of the public domain for relatively trivial issues.

The law of confidentiality and privacy, as being developed by the courts, seems to be in opposition to the views of Parliament about whistleblowing. That is an important point. A number of the court orders in place act to prevent people from reporting issues, whether to the police, the General Medical Council, coastguards or whomever. The rule of law is undermined by the court orders preventing that information from being given. That is another important issue.

Mr Richard Bacon (South Norfolk) (Con): Will my hon. Friend confirm that judges have also issued court orders naming Members of Parliament as people who cannot be spoken to?

John Hemming: Indeed. The issues of freedom of speech are not just about what goes in the newspapers; they are also about who communicates with whom and how tightly controlled things are. Some of the court orders issued prevent people from complaining to friends about what has been done to them; some prevent them from complaining to Members of Parliament; and others prevent them from going to the police with information. A dangerous system is developing. It is wrong to think that there is a difference between the ZAM case reported in *The Guardian* today and that of Giles Coren, because he could have faced exactly the same process.

John Cryer: What about Giggs?

John Hemming: The point I was making about Giggs was that his name was in the public domain already, so it would not have been contempt of court to name him outside the House. That is quite straightforward, and it does not, therefore, involve the use of privilege.

However, there is an argument about privilege where the legal position is uncertain, as it can be at times. We do not want to be unable to debate things because working out whether we can talk about them is so complex. Privilege is important and it needs to be used responsibly—there is no question about that—but my argument is straightforward. To have abused privilege, I would have to have used the name in the first instance, yet no one has evidenced to me the basis on which it would have been contempt of court for me to say outside the House what I said yesterday in it, and if it was not contempt of court outside, it cannot be an abuse of privilege within—

Nick Boles (Grantham and Stamford) (Con): Why did you not say it outside then?

John Hemming: Because it would not have been reported.

Anyway, the accountability of judicial processes depends not only on there being a public judgment, but on people having the ability externally to challenge the evidence that the courts are using. The problem with secrecy is that this all breaks down. Indeed, the report in *The Guardian* today about the secret committal of the sister-in-law is an example of exactly that situation, where there is no possibility of checking externally the evidence for whether the assumptions are correct. There are great questions about the reliability of much of the expert evidence provided in the family courts. If we cannot rely on the expert evidence, we will have difficulty relying on the conclusions.

There are many, many problems, and I will obviously be submitting a detailed report to the Joint Committee on the difficulties with the various injunctions. We also have a difficult day today, so I will not use up all my time. The issue of secret jailing is one that we cannot drop. Obviously we cannot do much more about it over the recess, but we cannot allow a process to continue whereby attempts are made to commit more and more people in secret proceedings. This all arises from the objective of protecting relatively trivial secrets, but it is not even close to open justice. The balancing act has completely failed when we are trying to balance somebody's liberty on one side against something relatively trivial on the other.

4.17 pm

Anna Soubry (Broxtowe) (Con): I am exceptionally grateful to you for calling me, Madam Deputy Speaker, because I have perhaps rather better news—it is at least different news—than we heard in the previous speech. I would like to talk briefly about the outstanding work of magistrates and the invaluable role that they play in the criminal justice system.

Magistrates were created some 650 years ago—we are talking about a very long-standing office—and they are to be congratulated, as I am sure we would all agree. There are now 29,000 magistrates in England and Wales. Their minimum requirement is to sit for 26 half-days a year. Some 98% of all legal proceedings are conducted in magistrates courts, which perhaps puts into perspective the outstanding contribution that they regularly make to the justice system. Magistrates bring to bear their considerable experience, knowledge and wisdom to both criminal and family matters. It is perhaps a testament to their ability to dispense justice fairly and properly that they are so rarely challenged in any higher place. In the last 650 years, magistrates have faced many changes and challenges. Their outstanding chairman, Mr John Thornhill, whom I spoke to today, has told me that, notwithstanding all the changes, magistrates always bounce back.

Andrew Bingham (High Peak) (Con): On the subject of magistrates bouncing back, is my hon. Friend aware that magistrates' allowances and subsistence fees are under review for a possible reduction to bring them in line with the rest of the civil service? However, there is a crucial difference: our magistrates are volunteers, not salaried staff.

Anna Soubry: I am grateful to my hon. Friend for his remarks. I am sure that everyone in this place would join me in congratulating him and his wife, who is sitting up in the Gallery, on celebrating their 25th—their silver—wedding anniversary.

Moving swiftly on to the important point that my hon. Friend makes, our magistrates are indeed volunteers. They receive a small subsistence allowance. I am sure that, like my hon. Friend, many hon. Members will have received letters and e-mails from magistrates in their constituencies who are concerned about plans to reduce their daily allowance and cut their mileage allowance.

Mr Robert Buckland (South Swindon) (Con): It is important to emphasise that the lay magistracy already makes our judiciary in England and Wales one of the cheapest in any comparable Council of Europe country. We would be cutting back a system that is already very efficient.

Anna Soubry: My hon. Friend is absolutely right. Lay magistrates normally sit in threes, as opposed to the stipendiary district judges who sit alone. Despite that

[Anna Soubry]

fact, lay magistrates are considerably cheaper than stipendiary judges. I am not suggesting that they do a lesser job, however. Both are integral to our criminal justice system.

Another great challenge that our magistrates face is the cutting of 93 magistrates courts. That has been debated at length in this place and in Westminster Hall, and it is a matter of great concern. I do not have much difficulty with the reduction in the number of magistrates courts, but I accept that many people are concerned about the ability to deliver local justice and about the extra strain that this will put on our lay magistrates, who are volunteers, through the extra mileage and work that they will have to do.

Andrew Percy (Brigg and Goole) (Con): My hon. Friend is entirely right in what she says about magistrates. She has mentioned court closures, and we are losing our magistrates court in Goole. When that happens, it will be quicker for some of my constituents to get to King's Cross than to the replacement magistrates services in Beverley.

Anna Soubry: I take my hon. Friend's point, and I am grateful for it. I would counter it, however, by saying that those of us who are familiar with the Crown courts will know that defendants and witnesses who appear in them make the effort and appear there without too much difficulty. I struggle to see how there will be much difference when a defendant or witness has to travel to a magistrates court that is further away following the closure of a more local one.

There are many myths surrounding our lay magistrates. The days of the stereotype of the middle-aged lady—not that there is anything wrong with middle-aged ladies—are long gone. The days are gone when women of a certain age and from a certain social class dispensed justice, usually wearing a hat—not that there is anything wrong with hats, I must also swiftly add. We now see magistrates drawn from all walks of life, and rightly so. Their experience and knowledge is also often brought to bear in the Crown court, when they sit with a Crown court judge to decide appeals. They perform an invaluable role there.

I have only one complaint, and I am grateful to my constituent, Mr Roy Plumb, in this regard. He lives in Kimberley, and he served as a magistrate for many years. He performed the role admirably. However, at the age of 70, he was forced to retire. The irony of the situation is that he was born on the very same day in the very same ward of the very same hospital as our esteemed Lord Chancellor. It is somewhat ironic that, while our Lord Chancellor was being appointed to his role, in which I hope he serves for many years, Mr Plumb was being forced to retire, as are other magistrates who reach their 70th birthday.

I am against ageism—of course, I would say that as I get older. It is wrong to assume that, just because someone is of a certain age, they will perform in a certain way. Just because someone who is under 30 is appointed to serve as a lay magistrate, which Governments of all persuasions have sought to encourage, it does not mean that they will necessarily bring to the bench more youthful ideas or be able to identify more closely with young people. I subscribe to the notion that it does not matter what it says on someone's birth certificate; the test is whether they are young at heart and fit in mind, and whether they have all the faculties to exercise sound judgment.

I know that the previous Government were questioned by people of all political persuasions—this is not an issue of party politics—on whether magistrates should have to retire at 70. Crown court judges can often sit until they are 73 and I believe High Court judges do not have to retire until they are 75, or at least they can sit in court until that age. I would suggest that this seems a little unfair to magistrates, especially, as I say, with our great Lord Chancellor being able to continue to serve for many years to come.

I am sure that all would agree with me in celebrating and thanking our lay magistrates. I urge the Government to view ageism as a thing of the past, so that our magistrates should not have to retire at 70. Mr Plumb might be able to return to the bench. We should certainly give great credit to his campaign and wish it well for the future.

4.25 pm

Andrew Percy (Brigg and Goole) (Con): I shall speak about the compensation scheme for the victims of overseas terrorism. Before I do so, I would like to pay tribute to a number of Members from different parties who have worked hard on this issue—not least the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Gregg McClymont), who would have spoken in this debate were it not for the fact that he thought he would have to be in the Finance Bill Committee. I thank him and his staff for the support they have given. I would also like to thank my Lincolnshire colleague, my hon. Friend the Member for Grantham and Stamford (Nick Boles), who has secured meetings with Ministers, and my hon. Friend the Member for Bournemouth East (Mr Ellwood). I also thank the right hon. Member for Dulwich and West Norwood (Tessa Jowell) and the former Member for Makerfield, Lord McCartney, who have both worked hard on this issue over the years. Above all, I pay tribute to the families of the victims of terrorism who have also worked incredibly hard over a number of years and continue to campaign vigorously on it; some of them are present today. Let me outline some of the issues and problems connected with this matter, before looking at the history and putting some questions to the Minister.

Since the Bali bombings in 2002, there have been 58 deaths and 37 serious injuries arising from terror attacks against our citizens overseas. It is my view, and that of many Members, that the British Government continue to have a responsibility for their citizens even when they leave these shores. British victims of terrorism in the UK are eligible for compensation under the criminal injuries compensation scheme, but that does not extend to victims of terrorism overseas. Travel insurers do not normally pay out for death, injury or costs associated with terror attacks, as they do for death, injury and some costs associated with other violent crimes suffered abroad. Similarly, many foreign Governments do not compensate foreign nationals who are attacked on their territory. This is particularly true in countries such as Egypt, Indonesia, Turkey and India, where there are many Western tourists, including our own people, and multiple terror threats.

The real issue is that this is not just about British citizens being caught up by accident in attacks while overseas, as many of them have been targeted precisely because they hold Her Majesty's passport. In Mumbai, gunmen in the Taj Mahal hotel said, "We want US and British," before inspecting passports, and they then targeted individuals. That is why it is not appropriate for Ministers back here in the UK to bracket terror attacks with other crimes in their correspondence with victims. Terrorism is of a totally different order to other violent crimes suffered abroad. Surely our Government should bear some responsibility for our citizens when they are attacked overseas for nothing more than being British.

Nick Boles: I congratulate my hon. Friend on raising this important issue, and also the hon. Gentleman—the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Gregg McClymont)—whose constituency I should not even venture to try to pronounce. I would like briefly to thank the Minister for agreeing to meet me, some victims and their parents. Does my hon. Friend agree that as people are targeted, as he suggests, simply because they are British citizens, our right hon. Friend the Prime Minister was right to make a clear commitment to put in place compensation retrospectively for past victims, and a future scheme for any—God forbid—future victims of terrorism abroad? Does he agree that this clear commitment is based on a moral obligation that we all have to stand by our fellow citizens when they are caught up through no fault of their own in such attacks?

Andrew Percy: I entirely agree. We compensate people who are victims of terrorism on our own soil, but we do not compensate our own citizens when they are victims—simply because they are British—in other countries.

Gregg McClymont (Cumbernauld, Kilsyth and Kirkintilloch East) (Lab): I congratulate the hon. Gentleman on raising this issue. Does he agree that, in a sense, if United Kingdom citizens are fearful of travelling abroad, the terrorists win? Government compensation will not remove that fear entirely, but a sense among British citizens that their Government will stand behind them when they leave these shores is an important part of the wider effort to combat terrorism wherever it occurs.

Andrew Percy: Absolutely. Again, I pay tribute to the hon. Gentleman for the work that he has done in this regard. We certainly expect the British Government to stand behind our people wherever they are in the world, particularly if they are attacked, and it is true that if British citizens are put off the idea of travelling, the terrorists win. Many people travel to countries to which the Foreign Office has advised them not to travel. There is at least some implication that their travel is safe and that the British Government will support them if the need arises, as we do through our consulates, embassies and high commissions around the world.

Victims of the bombings in Sharm el Sheikh in 2005 were told by Ministers at the time that they should seek redress from the perpetrators of the attack. Given the time constraints, I cannot give all the details, but let me talk about one family in particular: the Bennett family from Durham, who were bombed on a minibus in Turkey in July 2005, suffering considerable injuries, and one of whose members, Helyn Bennett, was killed. The family pursued the Turkish authorities through the court system for six years following that advice, and it is only thanks to the generosity of the insurers and of Turkish courts that they have been protected from crippling legal costs. However, despite the award of £1 million reflecting the gravity of the injuries, the Turkish authorities have refused to pay out, and an appeal is in progress.

Stephen Lloyd (Eastbourne) (LD): Will my hon. Friend give way?

Andrew Percy: I will give way very briefly.

Stephen Lloyd: Does my hon. Friend agree that the coalition has a responsibility to deliver on the last Government's commitment to pay compensation? British citizens who were victims of attacks from Bali to Sharm el Sheikh have yet to receive a penny, and I hope that the Under-Secretary of State for Justice, the hon. Member for Reigate (Mr Blunt), will soon put that dreadful injustice right.

Andrew Percy: Again, I entirely agree. Those three interventions illustrate the cross-party support for the campaign.

Although the award to the Bennett family was made 18 months ago in the Turkish courts, no funds have been made available to them. They are exceptional in pursuing international litigation, which, as we know, is incredibly complicated and beyond the means of most people. That is why victims were delighted when, in October 2005, the former Prime Minister Tony Blair told the House:

> "officials are considering the possibility of introducing a scheme to provide compensation for…UK victims of terrorism"

—crucially—

> " wherever that may happen."—[*Official Report*, 19 October 2005; Vol. 437, c. 839.]

It took a long time for that pledge to be fulfilled, and victims and their families continued to campaign. They worked successfully with some of the Members whom I named earlier to establish the humanitarian assistance scheme, and in 2010 the then Home Secretary and Justice Secretary provided for a statutory compensation scheme as part of the Crime and Security Act 2010. That would have enabled victims to be compensated with tariffs identical to those offered by the criminal injuries compensation scheme. Subsequently, 37 survivors of terrorist attacks abroad were written to and informed that they would be eligible to claim. Sadly, however, the change of Government has delayed the process somewhat, and the picture is a little unclear. Families are not sure where we are heading.

May I ask my hon. Friend the Minister what progress has been made with the review that was announced some time ago, whom is he consulting, and when he will make a statement to the House on the issue? Will the issue of the retrospective ex gratia payments promised to existing terror victims and their families be settled at the same time as the review of any future statutory compensation scheme? Will he confirm that the Government accept the principle that terrorism is distinct from other forms of crime, and that Her Majesty's Government have a responsibility to our citizens who

[Andrew Percy]

are attacked overseas on the basis of their nationality? Finally, may I urge the Minister to address this matter quickly, so that victims and their families receive the justice that they deserve?

4.35 pm

The Parliamentary Under-Secretary of State for Justice (Mr Crispin Blunt): I shall address each of the issues raised in turn. My hon. Friend the Member for Birmingham, Yardley (John Hemming) again raised an important issue that has featured prominently in the press in recent days and weeks. Freedom of speech is a cornerstone of our democracy, and it is of the greatest importance that people should be able to discuss and debate issues as freely and openly as possible—and as frequently as possible, I might add as I am returning to the Chamber to discuss this matter again following yesterday's performance.

As my right hon. and learned Friend the Attorney-General said in response to yesterday's urgent question, there is a balance to be struck when the issues concerned relate to a person's private life. That has always been the case, and now, in the current context, the European convention on human rights specifically establishes the article 8 right to respect for private and family life, alongside the right under article 10 to freedom of expression.

John Hemming: On the specific question, does the Minister agree that it is unreasonable for an anonymous person to apply to commit another anonymous person in a secret hearing?

Mr Blunt: I want to make sure that I approach this matter carefully.

In each individual case, the courts have to consider the balance between the two competing rights I have just mentioned. In addition, when considering whether to grant a civil remedy or order, such as an injunction, which affects the convention right to freedom of expression, the courts have to take into account section 12 of the Human Rights Act 1998, which requires particular regard to be given to the importance of that right.

I should also explain that injunctions preventing reporting or disclosure of information may be granted for a number of reasons, and not just for the protection of privacy. They might, for instance, be granted for the following reasons: to protect documents subject to legal professional privilege or commercial secrets; to prevent the release of other information obtained by a party in confidence; to protect children or vulnerable people; or to prevent the release of information about an order freezing the assets of a person suspected of fraud where that might alert other participants in the fraud and lead to them disposing of assets or leaving the country.

The report of the Master of the Rolls' committee on the procedural aspects of super-injunctions and anonymity injunctions published last Friday makes an important contribution to the debate on these issues, particularly in the context of the debate on privacy. The report reaffirms that open justice is a fundamental constitutional principle, and that exceptions to it are permissible only to the extent that they are strictly necessary in the interests of justice. Such decisions will necessarily be made in each particular case, dependent on the facts of that case. The report suggests that when that is necessary, the facts of the case and the reason for secrecy should be explained, as far as possible, in an openly available judgment. It also emphasises that super-injunctions—which is where the fact that there is an injunction has to be kept secret as well as the substantive issues—are now being granted only for very short periods where secrecy is necessary to ensure that the entire point of the order is not destroyed. That should help to allay concerns both that super-injunctions were being granted far too readily and about their potential open-endedness.

The Government welcome the report by the Master of the Rolls, which contains important recommendations that will ensure that injunctions are granted only where strictly necessary. We recognise the importance of striking the correct balance between individual rights to privacy on the one hand and rights to freedom of expression and transparency of official information on the other.

As the Attorney-General also said yesterday, the Prime Minister has written to the Chairmen of the Justice Committee and the Culture, Media and Sport Committee recommending that a Joint Committee of both Houses be established to consider how current arrangements might be improved. The Justice Secretary and the Culture Secretary will liaise with those Chairmen regarding the terms of reference of the Joint Committee. Such a Committee will be able to use representation from both Houses and the considerable expertise that Select Committees have, to examine the way in which the current arrangements are working and to consider whether we might make any changes to make things work better. That is where matters stand now.

I shall now discuss the welcome speech made by my hon. Friend the Member for Broxtowe (Anna Soubry) on the importance of the magistracy. I wholly agreed with the general drive of it. This year sees the 650th anniversary of the enshrining in statute of the role of justice of the peace by King Edward III in Westminster Hall. The role has changed a great deal over time. Indeed, it was not until the first half of the 19th century that non-conformists and Roman Catholics could become magistrates, and not until the early 20th century that the property qualification for magistrates was removed. From its long and rich historical roots, the magistracy has developed into a fundamental civic institution at the heart of our criminal justice system, and there are 27,000 magistrates in England and Wales today.

Our magistrates are ordinary people from all walks of life who do extraordinary work on behalf of us all. As my hon. Friend said, they deal with the vast majority—95%—of criminal cases in England and substantial amounts of civil work. They are people who care passionately about their communities and the value of the rule of law. What makes magistrates all the more remarkable is that such a vital part of our justice system is composed of unpaid part-time volunteers. They are a very important part of the big society in action.

I wish briefly to discuss how the Government want to consider developing the role of magistrates further, not least in respect of restorative justice. As my right hon. Friend the Minister for Policing and Criminal Justice has said,

"restorative justice is a reflection of what we are talking about when describing the Big Society....This is about taking justice out of the narrow confines of the courts and putting it into the community".

There can be no better expression of justice grounded in the community than magistrates, who are the epitome of justice for the community by the community. As our recent Green Paper "Breaking the Cycle" set out, we are committed to increasing the range and availability of restorative justice approaches to support reparation in the adult and youth justice systems.

Neighbourhood justice panels bring together community volunteers, offenders and victims, harnessing restorative techniques to broker justice outcomes. I would very much welcome the greater involvement of the magistracy in institutions such as neighbourhood justice panels, but we can also successfully extend a role for the magistracy in the entire panoply of elements that deliver justice in the community.

My hon. Friend the Member for Broxtowe mentioned the retirement age. The Government recognise that at 70 the majority of judicial office holders will be mentally and physically equal to the demands of the work. However, following careful consideration, including discussion with the senior judiciary, it was decided that the current mandatory retirement age should remain. So I am afraid that I cannot offer any comfort for Mr Plumb, despite the date and the ward on which he was born.

The Government are reviewing the travel and subsistence allowances paid to magistrates, with the aim of ensuring that they are not disadvantaged financially because of their important public service while also getting the best and appropriate value for money for the taxpayer. The Courts and Tribunals Service will meet representatives of the Magistrates Association and the National Bench Chairmen's Forum, and the senior presiding judge, on 15 June to discuss how to develop a new approach to magistrates allowances, and no decisions have yet been taken.

I congratulate my hon. Friend the Member for Brigg and Goole (Andrew Percy) on making his contribution about the victims of overseas terrorism. This is a difficult and emotive issue. I know that there is continuing interest in this area, to put it mildly, and several hon. Members have raised the matter recently. As my hon. Friend the Member for Grantham and Stamford (Nick Boles) said, I recently met his constituent Trevor Lakin and Nigel and Will Pike with him. Mr Lakin lost his son Jeremy in the Sharm el Sheikh bombing in 2005 and Will Pike was paralysed as a result of injuries sustained following the attack on the Taj Mahal hotel in Mumbai in 2008. Through my hon. Friend, I heard first hand about the devastating impact that terrorism has had on them and continues to have on their lives and on the lives of their families. They shared with me their experiences of terrorism abroad and their frustration and disappointment at the lack of support available to victims after they return home.

Terrorist crime is usually indiscriminate and devastating and usually comes without warning. Its impact can be horrific, not just for the victim but for the victim's family and loved ones. My deepest sympathies, and those of the whole Administration, go out to all those who have suffered in that way or who have lost loved ones through such tragedies.

Since the spending review settlement, the Ministry of Justice has been reviewing the services available to victims, witnesses and their families. We are also considering afresh proposals for the introduction of schemes to compensate eligible victims of terrorism overseas. We expect to be able to make an announcement before the summer recess.

My hon. Friend the Member for Brigg and Goole mentioned support for victims overseas, as did the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Gregg McClymont), who made an intervention on that point. Her Majesty's Government stand behind our people overseas; for those who have not had dealings with the system, coming across it in the wake of an appalling experience is difficult and distressing. To alleviate some of this distress, we have revisited the support available to British victims caught up in terrorist attacks abroad. The exceptional assistance measures scheme run by the Foreign and Commonwealth Office provides immediate assistance with air fares, accommodation and repatriation for victims and their families. From 16 December last year that help has been available to all British victims regardless of their travel insurance arrangements.

Let me point out that according to the Association of British Insurers, 66% of existing policies cover such attacks, but are mostly limited to overseas medical expenses, repatriation costs and a lump sum for personal accident cover. Furthermore, the Red Cross relief fund for victims of terrorism abroad continues to provide emergency funds of up to £15,000 for those who suffer injury or are bereaved through terrorism and normally live in the UK. The fund was begun with £1 million of funding provided under the previous Administration.

Families bereaved as a result of overseas terrorism may also be assigned a specialist family liaison officer by the police. The officer is specially trained and acts as a single point of contact for bereaved families. The officer will answer questions, seek to obtain updates on case progress overseas and provide dedicated one-to-one support for the family.

I appreciate that dealing with the consequences of any crime is anything but easy. There are services on offer to help guide people through the justice process and to provide emotional support, but there is still more to do. There are challenges in the current system in ensuring that the support given is the right support, and that it is offered quickly and to the right people. That is why I and my colleagues in other Departments are working to improve the services that we can provide. We are working to ensure that central Government, local authorities, voluntary organisations and local communities link together to provide joined-up support to victims and families. I look forward to being able to give the House more details about the Government's proposals soon, and I anticipate that that will be before the summer recess.

FOREIGN AND COMMONWEALTH OFFICE

Madam Deputy Speaker (Dawn Primarolo): We will now move on to debate issues that relate to the Foreign and Commonwealth Office. Two Members are listed to speak and when the Minister has replied to them, we will move on to the general debate. It might be helpful for hon. Members to know that those who wish to take part in the general debate should stay seated at present and once the Minister has spoken we will move on. I remind Members that we have a six-minute time limit and I remind the Minister of that, too, as Ministers are supposed to be as brief and succinct as we expect other Members to be.

4.49 pm

Keith Vaz (Leicester East) (Lab): I note that the other subject in this small section is that of Christians in Iran. I was just reminiscing with my hon. Friend the Member for Walsall South (Valerie Vaz) about how when we were born in Aden in Yemen we were Christians in an Arab country and how well we were treated by the people of South Yemen, as it then was.

It breaks my heart to come before the House yet again to talk about the crisis that is occurring in Yemen. I am pleased to see the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for North East Bedfordshire (Alistair Burt), on the Front Bench, because I want to pay tribute to him, to the Foreign Secretary and to the Government for the amount of face-time and focus that they have given to the situation in Yemen. I am very grateful for that, because the globe is very big and Yemen is a very small country. Ministers and the Government have spent an enormous amount of time in ensuring that this House, the rest of the country and, indeed, the world are focused on these issues.

As I speak, the crisis in Yemen is deepening. We have been told for a number of days that the President is about to sign an agreement, which has been brokered by the Gulf Co-operation Council led by the Saudi Arabians, on his making a dignified exit so that a new Government consisting of members of the opposition, some of whom are not involved in politics—a kind of Government of national unity—can take power. Each time I meet Ministers in the Palace of Westminster they brief me on what is happening and tell me what they know, which is that the President is about to sign. We had thought that was the case just 24 hours ago, but then we heard that our ambassador John Wilks had been penned into the United Arab Emirates embassy in Sana'a as he and other dignitaries had been preparing to go to the presidential palace to witness the signature of the President, which did not happen. Now the crisis is getting deeper and deeper. We already have a political crisis that could well lead to civil war in Yemen, which we had before and which ended with the reunification of southern Yemen and northern Yemen to create the state that currently exists. We also have a humanitarian crisis: 40% of Yemenis live on less than £1.25 a day, there is 50% illiteracy and 7 million people do not have enough food to live and survive in Yemen every day. That is why this political crisis has become a military crisis and it is also a humanitarian crisis.

When the Prime Minister appeared before the Liaison Committee early last week, I asked him to do one thing: to see whether there is any way in which our country, which has an honourable record in such matters, could send an envoy to try to bring the sides together. What I have heard from my contacts in Yemen—I have visited Yemen almost every year since my family left in 1965 and certainly every year that I have been a Member of the House—is that Britain's role is absolutely crucial. Whether it is through Britain working on its own, the UK working within the EU, or the United States of America working with EU partners and our country—whichever mechanism we have—we need to try to fill this vacuum, because if we do not there will be civil war in Yemen.

We are told that the death of Osama bin Laden has led to the appointment of a new person to run al-Qaeda in the Arabian Peninsula, and we know that he, Anwar al-Awlaki, is in Yemen. There is a danger that unless we deal with this situation now, al-Qaeda will have an even greater hold on that country and will be part of the process by which it is driven into civil war.

Every time I have talked about Yemen, I have talked about a crisis and said that it is worsening. Every time that things get even worse, I think that they have reached a stage at which they will not get worse, but they do. My one plea to the Minister, therefore, is that he continues his efforts, for which I am very grateful, but looks carefully, as the Prime Minister promised to do when he answered my questions at the Liaison Committee last week, into appointing an envoy who can try to bring the sides together so that we can have peace in that very beautiful but very sad country.

4.54 pm

Andrew Selous (South West Bedfordshire) (Con): It is a pleasure to follow the right hon. Member for Leicester East (Keith Vaz). I was particularly pleased to hear his comments about how well he was treated as a Christian growing up in an Arab country, which provide a sorry contrast with what I am about to say about Iran.

I am grateful to Christian Solidarity Worldwide and Elam Ministries for the briefing that they have given me in advance of today's debate. I approach the subject with a degree of humility, conscious that this country has not always got right either the treatment of other faiths or the treatment of other Christian denominations, culminating in the Act of Toleration which we passed in 1689. We have made improvements since that time.

Yesterday in the House a famous footballer was named. In the course of my remarks I shall mention the names of eight Iranian Christians who are currently in prison for no reason other than their faith. Iran wants to persecute Christians in secret, but I believe the world should know and show its concern for what Iran is doing. Christianity has been present in Iran since the second century. We find crosses on coins from around 50 AD, and in the seventh century Iranian missionaries travelled to central Asia, India and China.

Christianity has been protected officially since the 1979 revolution. Article 23 of the Iranian constitution states: "The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." Iran claims that there is religious freedom, but the reality is very different. In spite of that, the Church has grown and there are possibly hundreds of thousands of Iranian Christians today. What we see is a lack of tolerance, oppression and persecution.

Open Doors puts Iran at No. 2 on its world watch list of the most severely persecuted countries in which Christians live; North Korea is No. 1.

Christian leaders must report to the Ministry of Information, which demands lists of members of churches. There are regular threats and intimidation. It is illegal to distribute Bibles. The Bible Society was closed down by the Government in 1990. The Iranian authorities have burned Bibles that they have confiscated. In May 2010 they burned hundreds of Bibles and New Testaments intercepted on the Iraqi border. In October last year more than 300 New Testaments were taken and burned by security forces on the Turkish border. Only three months ago, on 7 February 2011, 300 New Testaments were seized by authorities in Salmas, in West Azerbaijan, and publicly burned. Many of us in the House and around the world rightly condemned the attempts by the Florida pastor, Terry Jones, to burn the Koran, but I am not aware of any political leader in Iran—Islamic or otherwise—who has condemned the burning of Bibles. I hope Muslim leaders in the UK will condemn the practice.

Since the mid-1980s Christians have faced arbitrary arrest and imprisonment for their faith. Mehdi Dibaj was in prison for nine years between 1984 and 1993, mostly in solitary confinement, before being sentenced to death for his faith in 1994. Later that year, he was murdered after his release from prison. There has been escalating persecution and an increase in arrests in 2010 and 2011, with 282 known arrests of Christians in 34 cities since June last year.

In prison, Christians are subject to solitary confinement, sleep deprivation, interrogation—particularly about the location of Christian leaders—threats of execution and harm to their family, verbal and physical torture, and lack of medical treatment, and they are called on to renounce their faith. Prisoners are often required to hand over large sums of money and surrender the deeds to their houses to try to get out of prison.

Mostafa Shokrollahi and Khalil Yar-Ali were imprisoned on 15 January 2011. Noorollah Ghabitizadeh was imprisoned in Dezfool on Christmas eve, 2010. Farshid Fathi was arrested on Boxing day 2010. Even though his family raised $200,000 in bail, he is still in prison. Vahik Abrahamian was imprisoned in Hamadan on 4 September 2010. Masoud Delijani was arrested on 17 March this year. Abrahim Firouzi was imprisoned in Robat-Karim on 11 January this year, and his family cannot afford the $40,000 in bail demanded of them. Yousef Nadarkhani was imprisoned in Rasht on October 2009 and sentenced in November to death by hanging. He is currently awaiting trial before the Supreme Court. If the sentence is upheld, that will be the first execution for apostasy in 20 years, a very worrying development.

Such treatment seems to be officially sanctioned. Ayatollah Khamenei has talked disparagingly about the spread of the network of house churches. On 4 January this year, the Governor of Tehran, Morteza Tamadon, announced the arrest of 39 evangelical Christians whom he described as "deviants". Apostates can be referred to the revolutionary court.

I request the UK Government to be active in calling for the release of those in prison for their faith, to call for the investigation into how the Iranian Government use the death penalty for apostasy, to denounce the use of intimidation to curtail religious freedom, and to call on Iran to fulfil its constitutional provision for religious freedom and address its rhetoric and constitutional discrimination against religious minorities.

5.1 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Alistair Burt): I thank my friends on both sides of the House, the right hon. Member for Leicester East (Keith Vaz) and my hon. Friend the Member for South West Bedfordshire (Andrew Selous), for raising these two subjects, which are difficult and disappointing for us all. Both speeches were a measure of how much the House depends on the good briefings that Ministers get in this place from colleagues whose knowledge of a subject can be deep and long lasting and which comes with great passion and from the heart. We could not talk about Yemen without being briefed by the right hon. Gentleman, whose contributions we are all fortunate to have.

The right hon. Gentleman talked about the difficulties of the current crisis in Yemen. I could have given nearly all of his speech from here, as his appreciation of the background to the current situation is entirely accurate. Yemen matters to the United Kingdom for a variety of reasons. It is a place of strategic importance, we have a history there and it faces a number of challenges with which this country, not alone but with others, has been engaged for some time. There are territorial disputes in the north and the south of the country and a chronic economic crisis that is being worsened by the political crisis currently besetting it. The security crisis very much relates to the presence of al-Qaeda in the Arabian Peninsula, which has a significant presence there, as the right hon. Gentleman said.

As a result of those various factors, the international community has supported Yemen in a variety of ways. The Friends of Yemen group was started towards the end of the previous Government's period of office, and we have continued it. It is a group of international partners, including those in the Gulf, the United States, Saudi Arabia and the United Arab Emirates as significant partners, that work together with the Government of Yemen to try to find a way through the various political, economic and security problems.

Much has hung on the individual character and personality of the President, Ali Abdullah Saleh, who has been in office for 32 years. As this year has gone on, it is clear that his legitimacy as President has been called into question. Protests from the people have mounted, opposition parties have expressed their concerns more volubly and the army has divided. Sadly, the protests, the aspirations for greater political freedom and the prospect of change to a more constitutionally based system of rule have been met with increasing violence and a number of deaths, the toll of which rises week by week.

The international community has reacted by working with those elements in the region to see whether there is any answer other than Ali Abdullah Saleh stepping down from power after so long. We all conclude that it is not possible to see an end to the problem without his leaving. As the right hon. Gentleman has said, attempts have been made to find a way for the President to leave that will allow a peaceful transition as part of a constitutional process. It will not be simple and lots of work will be needed with the various parties in the transitional process to work towards an expression of democratic freedom and the election of a new President and a new Government.

[Alistair Burt]

Time after time, the President has come close to signifying his own support for such a system. Indeed, the right hon. Gentleman was correct to say that the Gulf Co-operation Council and, in particular, its new general secretary, Dr al-Zayani, have been instrumental in putting together the most recent document, and significantly over the past few days every other possible signatory to such an agreement has signed it. The President's own party, the Opposition parties and those who could play a part in the process have agreed to and signed the document. The last piece of the jigsaw was to have been put in place on Sunday, when the President was due to sign, but for the third time he came close to the wire and withdrew from it.

Keith Vaz: We have an opportunity, because the President of the United States is in the UK and meeting the Prime Minister. Indeed, I saw this morning that they had written a joint article for *The Times*. If there is a British-US initiative, perhaps there is a chance that on a conference call the President of Yemen will listen. Could we consider that?

Alistair Burt: May I give the idea some thought? I must reassure the right hon. Gentleman that the United States is clearly engaged in the situation, as are the rest of us, but the point is that the GCC and its general secretary came so close, and we should back them. The President of Yemen was almost there, and the signature was almost on the document. We believe that that is the best hope.

All the other parties seem to agree that the transitional process, which could be put in place by signing the document, allows for a 90-day transition period and offers guarantees to the family of Ali Abdullah Saleh, is the best hope for the future. It is also the President's best hope and the best hope for the peace in the region. We are worried about reports that armed tribes are going into the capital, because that increases the risk of confrontation between the various bodies. The situation is absolutely immediate; it is ongoing as we speak.

The right hon. Gentleman was correct also to talk of the atrocious pressure put on ambassadors on Sunday, when the United Arab Emirates embassy was surrounded in a clear attempt to intimidate people and to prevent the President from signing.

So, we know where we are, and on the subject of the envoy the House should trust us. We are already heavily engaged, and our ambassadors to Yemen have repeatedly played a major role in working with others. For the time being, we will get behind the GCC and work with it to achieve a signing. We will continue to play a very important role, and I will continue to bring the House up to date as often as possible—and as needed. We all hope that sooner or later the saga will end, particularly for the good of the people of Yemen, who deserve to have the matter brought to a conclusion so that their country can enter a new chapter. If the President, by his own actions, leads a peaceful transition, he will have been of great service to his country at this time.

I turn briefly to the speech of my hon. Friend the Member for South West Bedfordshire, who rightly raised the difficulties of Christians in Iran and will have spoken for a variety of other minorities. We remain very concerned about the treatment of Christians and several other minorities—religious, ethnic and linguistic—in Iran. The ongoing systematic persecution of minorities contravenes all Iran's most basic obligations to international human rights standards, and it deprives thousands of the chance to practise their faith without hindrance or fear.

I commend to the House the publication by Human Rights Watch, "World Report 2011", which is the latest edition, in which there is good information about the human rights records of many countries. In that aspect of the regime, as in so many others, Iran makes depressing reading. The report states:

> "Authorities announced that security forces had arrested more than 6,000 individuals after"—

the disputed elections of—

> "June 2009. Hundreds—including lawyers, rights defenders, journalists, civil society activists, and opposition leaders—remain in detention without charge."

The list of executions is longer than any other country's except China's.

Christians, as my hon. Friend said, are a minority protected by law in Iran, and in bilateral meetings in Tehran and in London we repeatedly call on Iran to respect the rights of all who choose their own faith and method of worship. We have also worked with our EU partners and through the UN to highlight those issues for the wider international community and to put pressure on Iran to fulfil its obligations to the Iranian people. We are aware of unconfirmed reports of the burning of Bibles in Iran. The UK wholly condemns the desecration of any spiritual or religious artefacts or symbols of faith, including scriptures. Given that Iran heavily criticised Terry Jones, the American pastor who planned to burn the Koran last year, we call on the Iranian Government to end the hypocrisy and religious intolerance.

The demanding of large bails in Iran is sadly a common problem shared by all who feel the persecution of the system, which is designed to put on pressure. We are aware of those mentioned by my hon. Friend who were victims of the round-up and the crackdown on house churches after Christmas last year. That increased policy of detention continues to be a cause of great concern. Although we understand that the majority of those detained have been released, a number remain in custody, and we continue to believe that there were no legal or moral grounds for their initial detention—a point that we have made repeatedly to the Iranian authorities. Such intimidation on the grounds of faith and practice of worship should stop immediately. We call on Iran to allow all members of all faiths freely to participate in open worship.

We continue to work for the betterment of human rights through international institutions. The EU recently agreed to sanction Iranian individuals for human rights abuses, and the UN Human Rights Council voted at the end of March to install a special rapporteur to report on the human rights situation in Iran and to make thorough recommendations to the Iranian authorities, the Human Rights Council and the UN Security Council.

The comments by my hon. Friend and the case histories that he has dealt with sadly give the lie to the Iranian regime's claim to be the voice of a republic with moral underpinning. Hypocritical in its support of protests elsewhere and condemned by its execution policy, the regime remains a sad disappointment to millions of good Muslims everywhere and, in particular, to the Iranian people, who deserve rather better.

GENERAL MATTERS

Madam Deputy Speaker (Dawn Primarolo): We now move on to the general debate. I inform Members that 17 speakers are listed to take part. I remind everybody that the time limit is six minutes; we will do our best to try to get everybody in. I call Eric Joyce.

5.12 pm

Eric Joyce (Falkirk) (Lab): Thank you, Madam Deputy Speaker. I will be very brief and make just one or two points. I can either speak very quickly or stick to the quality.

I want to speak about social media and the issues that have arisen in the past couple of days. Yesterday, the Attorney-General general said in answer to a question from my right hon. Friend the shadow Secretary of State for Justice that he would create a Committee. I presume that that would be a Committee of both Houses involving cross-party membership, but I am not yet sure how it is going to be put together. So far, the debate has had two primary variables at its heart. On the one hand, there has been the legal side, with much discussion among the usual lawyers. In fact, as far as I can see, there are only three or four lawyers in England, because they keep appearing on Channel 4 News, Newsnight and every other news programme. I will not name them, because that is not in vogue at the moment. I do not dispute that the law is a very important dimension. The other dimension is privacy, which people feel variously about. I know that some of my right hon. and hon. Friends are concerned about issues relating to a certain newspaper empire. To be honest, I have lesser, or different, concerns.

Both aspects are important, but what has not been aired is the issue of technology. At the moment, the court and legal system—and, indeed, Parliament—is finding itself in a tricky position over privacy, injunctions and so forth because of the way technology is racing ahead through social media applications such as Twitter, Facebook and many other platforms; I will not run through an advertisement for all the rivals. The fact is that they exist and that there is the potential for information to circulate with astonishing speed. As the Attorney-General and my right hon. Friend the shadow Justice Secretary said yesterday, it would be wrong for us in this place to say, "That's the law, it can't be enforced, so we just ignore it."

Lord Neuberger's report, which seemed a pretty reasonable effort, revealed some of the difficulties. Post that report, in the past couple of days, the Lord Chief Justice has tried to create some balance and reflected on the fact that some of the stuff that is said on the social media is taken pretty lightly. People gossip on the high street and at work, and that can sometimes have implications. Although I am not a lawyer, I understand that such gossip can have a legal status so that someone who took part could technically be taken to the civil courts for slander or, if they wrote it down, for libel. Social media merely—I say "merely", but I know that there are significant implications—transfer that to the internet. One thing that the Lord Chief Justice said—I like to call him Judge Judge, because it is a great name, like the one in "Catch-22"—was that it is a simple fact that people do not give as much weight to information that they see on Twitter or wherever, because often it is wrong. It is patently obvious from recent cases in the media that some of the names that have come out have been wrong.

We might be tempted to say that one just has to accept that this is gossip on the internet, that that is life, and that there is nothing that the law can do about it. However, as the Attorney-General said yesterday, we cannot do that. There are many instances in which we could say that one should just accept that because we cannot implement a particular law in every case, it is not worth having. However, that is not a general position that we accept. We know that we cannot prosecute everyone who ever commits a crime. Nevertheless, it is important that the principle is there.

The argument about emerging technologies and what will come next is terribly important. I sat on the Standing Committee that considered the Communications Act 2003, which was the original Ofcom legislation. More recently, I took part in the debate in the House on the Digital Economy Act 2010. It is clear that it is difficult to legislate for new and emerging technologies, because one does not have the foggiest idea what will come next. Twitter is only two or three years old. We have no idea what there will be two or three years down the line. It is difficult to legislate for, or to take into account in the current debate, what will happen two or three years down the line. I want to emphasise that point, I hope it will be taken up by the Joint Committee when it comes into being and considers its position.

When I and other people say that we have to reflect on what is possible, we are not negating the actuality that there have to be laws under which people can be pursued if there is a particularly bad breach of an injunction, or whatever. The fact is that it is enormously difficult to close the stable door once the horse has bolted. That is not a statement of hopelessness. We have to think not just about Twitter, although that is what most of the debate has been about, but about the emerging technologies just down the road—there are many and I could bang on about them at great length, but I will not because my time is almost up—and they will inevitably impact on the deliberations of the Joint Committee and on the further discussions that will no doubt take place in this House.

5.17 pm

Mr David Evennett (Bexleyheath and Crayford) (Con): I am pleased to raise the general issue of tourism policy and some specific examples of places to visit in my London borough of Bexley.

The UK tourism industry contributes significantly to our economy. Large and small businesses, charities and other organisations play a part in generating interest in our villages, towns and cities, from bed-and-breakfast owners and walking tour operators to historic sites, museums and galleries. They directly provide some £52 billion of our GDP and 4.4% of our jobs. Tourism is one of our fastest growing sectors. It creates jobs across our country, from city centres to the most rural communities. Regrettably, tourism in suburbs such as Bexley is under-promoted and is not as successful as it could be. I believe that more can be done in that area.

We have tremendous opportunities to promote England as a place to visit. The recent royal wedding highlighted London's attractions, including Buckingham palace, the

[Mr David Evennett]

Houses of Parliament and Westminster abbey. Those who watched it on televisions around the world or within this country will have seen our historic streets. It was an excellent advert for London, which in my opinion is still the greatest city in the world. The London Olympics and Paralympics next year will be not just a month-long festival of sport, but an opportunity to encourage more people to visit London.

Mel Stride (Central Devon) (Con): My hon. Friend is making a powerful case for tourism in our country. Does he agree that we should look at the VAT rate that is applied to accommodation? In this country, it is the same as the general rate, whereas in our competitor countries, it is far lower.

Mr Evennett: My hon. Friend makes a very good point. I am sure that the Deputy Leader of the House will note it and take it back to the Chancellor and other Treasury Ministers.

The Government's tourism policy is an important long-term strategy that will help the tourism industry to develop further and capitalise on its strengths. I welcome the establishment of the £100 million marketing fund and its ambitious aim of attracting 4 million extra visitors to the UK over the next four years. If that can be achieved, there could be substantial economic benefits of some £2 billion, with the possibility of some 50,000 new jobs being created. That is an excellent example of how Government and the private sector can work together for the benefit of our whole country.

I was rather disappointed to learn that only one fifth of the population take breaks of four nights or more in this country. If more people could be encouraged to go on holiday in the UK, to match the number holidaying abroad, £2 billion more could be generated for the tourist industry, and some 37,000 more jobs could be created. That would be a real benefit to our economy, and I believe it would be enjoyable for all those taking part. I still think that Britain is best for tourists and for holidays.

I hope that Government policy is not just about bigger towns and cities. I should like to encourage more domestic and international visitors to come to my borough of Bexley, to enjoy our historic, cultural and entertainment facilities. For a start, there is Danson House, in my constituency, a grade I listed Georgian building that was purchased by Sir John Boyd in 1753 but not completed until 1766. The principal architect was the highly regarded Sir Robert Taylor, who was involved in the design of many significant buildings, such as the Bank of England. The site was landscaped by Nathaniel Richmond, who was once Capability Brown's assistant.

When the house was purchased by English Heritage in 1995, it was in a dilapidated state, as it had regrettably been allowed to deteriorate. English Heritage's investment, in partnership with the Bexley Heritage Trust, has been invaluable, and both must be commended for their work to enable the house to be opened to the public. Visiting it is a fantastic experience, and I recommend it.

I also recommend that visitors walk around the magnificent Danson park grounds. With the lake, the conversion of the stables into a pub, the investment in new play facilities and the refurbishment of the Boathouse restaurant, it has won multiple awards, and I believe it is the best park in London. In fact, it recently received the gold award for safety.

A short walk from there will take visitors to the Red House, the one-time home of the artist, textile designer and writer William Morris.

John McDonnell (Hayes and Harlington) (Lab): A socialist.

Mr Evennett: He was, but he did good work as well in a different area.

The Red House was Philip Webb's first building as an independent architect, and it was completed in 1860. It featured ceiling paintings and wall hangings by Morris and furniture painted by Dante Gabriel Rossetti, and it is a fantastic experience. It was purchased by the National Trust in 2003, and I recently had the pleasure of touring the house with its new manager, James Breslin. I am confident that the National Trust will ensure that it remains open for people to enjoy for years to come. It is another gem in suburban Bexleyheath.

Another historic property in my constituency that is open to the public is a grade I listed building and former stately home called Hall Place, which is part-Tudor and part-Jacobean and has fantastic gardens. Extensive work has recently been undertaken to ensure that it can be open for all to enjoy. I have been to a number of functions there, and the sense of history is incredible and the mixed architecture impressive and interesting.

There is also the beautiful and historic church of St Paulinus in Crayford. It was built in the 12th century, but there is evidence that there has been a church there for more than 1,000 years. It is located at the top of Crayford hill, on the mediaeval route to the continent, and pilgrims stopped there on the way to Canterbury for respite and care. The church is the burial place of Elizabeth Shovell, the former wife of Sir Cloudesley Shovell, who was Admiral of the Fleet during the reign of Queen Anne. The former Surrey and England cricketer John Shuter is also buried there. Shuter once opened an innings with the legendary W. G. Grace, and his grave has recently been restored and rededicated with the help of the Friends of St Paulinus Church, Bexley cricket club and Surrey county cricket club. The living churchyard is a place of peace and tranquillity among the bustle of suburban Crayford.

In the same century in which St Paulinus was built, Lesnes abbey, in the north of our borough, was founded by Richard de Luci. It has been suggested that it was built as penance for the murder of Thomas à Becket, in which de Luci was involved. The abbey ruins are located in Lesnes abbey woods and are worth a visit.

Bexley has an awful lot to offer tourists both domestic and from abroad. I have highlighted just a few reasons for a visit, and I believe that we should develop tourism in the suburbs. It is also one of the greenest boroughs in London, with many small parks and green spaces such as Martens Grove and Bursted woods. The Erith marshes and the Crayford marshlands can be used for birdwatching, and people can walk along the River Cray. Bexleyheath Broadway offers civilised shopping, and there are quality hotels, such as the Marriott, restaurants—Assos in Crayford is a particular favourite of mine—and pubs. We have small theatres, popular sports clubs such as Welling United football club, the Europa gym and Crayford greyhound track. It is a great place to come, and I urge my colleagues and friends in the House to visit.

There is much to do in my constituency and my borough, but importantly, I welcome what the Government are doing to encourage tourism nationally. It is a very important industry, but it is also an important facility for creating jobs—and for having a good time. I welcome what the Government are doing, but I urge them to consider the suburbs, because there is a lot going on there that is worth visiting as a tourist.

5.25 pm

Tony Lloyd (Manchester Central) (Lab): It is a great pleasure to follow the hon. Member for Bexleyheath and Crayford (Mr Evennett), who takes great pride in his suburb. In the same way, people in Manchester have enormous pride in what our city is all about. That is why I wanted to raise two important local issues today.

First, the Edale unit, which is a secure mental health unit, is currently located in the central Manchester hospital. Manchester Mental Health and Social Care trust specifically had the unit designed only a few years ago as part of a private finance initiative in that hospital. The strategic health authority gifted the trust some £16 million for the project, but only four years on, the trust has decided that it wants to abandon the unit and move its facilities elsewhere.

The trust proposes to move the unit to Park House—the site of the North Manchester hospital. By all accounts, that decision is perplexing. Patients, user groups, families and those involved in mental health delivery tell me that the facilities in Park House are less adequate than those in the Edale unit, particularly because the new facility will have mixed-sex wards and the accommodation will be dormitory-style, with six beds to a unit, and therefore less secure. Because the therapy provision in Park House is worse than that in the Edale unit, those people, who have very serious mental health conditions, will receive inferior treatment.

Three options were examined and appraised before the change was announced, and the move to Park House was judged to be the worst of them. In health terms, therefore, the decision is perplexing, but it might be explicable if it saves the mental health trust £1.7 million a year, as the trust says it will. Money could drive the trust's decision because of the cost pressures in the NHS, but the decision is still unacceptable, because although the move saves the mental health trust £1.7 million a year, it will cost the wider NHS economy an extra £1.9 million a year. The economics therefore do not add up. It might be good for the bookkeeping of the mental health trust, but it is bad for the health economy.

The difficulty I have had throughout the process is that both the mental health trust and the SHA have not been open with the public. All Members of the House would regard that situation as unacceptable. Bureaucrats cannot hide important decisions behind faceless decision-making processes. No Member of Parliament would accept that for their community, and I certainly do not accept it for mine. People in my community suffer from extraordinarily high levels of mental illness, and we need the provision of a facility that is in keeping with the very best, and not simply with the second-best, as driven by narrow financial needs.

I have asked to meet the Minister of State, Department of Health, the hon. Member for Sutton and Cheam (Paul Burstow), and I hope that happens before final decisions are made. However, I want to emphasise that the process has been inadequate and unacceptable to local people.

The second issue is on another, very different, NHS facility: the Ancoats walk-in centre. Hon. Members often use superlatives, but my constituents in that area have some of the worst health of any people anywhere in the country. The area needs first-class health facilities. The walk-in centre was finally delivered to the Ancoats community when the former Ancoats hospital closed, which was quite a number of years ago now. There was a commitment to making health provision available for the non-chronic conditions that are so common in such areas. The health planners now intend to close this facility, thereby breaking the promise made when the Ancoats health facility was closed. That is particularly galling because the decisions were made long before any public consultation. I have a copy of the in-house magazine in February telling staff that the decision to close had been taken, yet the public consultation only began last week, on 16 May. That is unacceptable.

I repeat that the people in the Ancoats area have some of the worst health indicators not just in Manchester but across the country. The proposed relocated unit—in fact, they are closing the unit and claiming it is a relocation—is more than four miles away, which, for people with no access to a car or other private transport, means a journey by public transport or walking. However, of the three bus services available, one requires an 18-minute walk and the other two require bus changes. For those who need health care they can walk to, which they have come to expect in recent years, the alternative unit simply is not adequate. I appeal to the Minister to tell Health Ministers that bureaucrats cannot do this to communities. Bureaucrats need to answer properly to communities.

5.31 pm

Mr David Amess (Southend West) (Con): Before the House adjourns for the Whitsun recess, I wish to raise several points. The "Panorama" programme last night reinforced my view of FIFA. It is a totally corrupt organisation. We were humiliated in the bid for the world cup. I hope that our representatives will not vote for either of the two candidates, and that we will withdraw from FIFA. I am a lifelong supporter of West Ham and am delighted that we have got the Olympic stadium, but I feel badly let down, along with other supporters, by the management. It is very sad indeed. I have come to the conclusion that some footballers are overpaid, some are oversexed and others underperform, unlike hon. Members.

The winner of the Eurovision song contest, Azerbaijan, was a lot of rubbish. I think that Blue had the best record, and that Eurovision has become totally farcical. We should withdraw from the Eurovision song contest and have a proper contest between members of the G20 instead.

I am looking forward to the Olympic games. As hon. Members know, Southend has the longest pier in the world and a wonderful athlete, Mark Foster, whom I hope will be allowed to run down the pier with the torch. It is all very well that the torch will be going to the constituency of the Minister of State, Department

[Mr David Amess]

of Health, my right hon. Friend the Member for Chelmsford (Mr Burns), but we want the flame to be shown in all its glory in Southend too.

We recently held the Southend version of the Essex Factor. A young lady called Lucy Urquhart won the contest, and I have no doubt that she will become an international celebrity. Last week, I had the honour to be nominated by Naturewatch for an animal charity champion award. I pay tribute to Naturewatch. It is a wonderful organisation, and it brought to my attention the problem of puppy farming. A quarter of the British people own dogs, and it is a disgrace that we have these puppy farms churning out five or six litters each year. We should do something about it. The current law is not being enforced. It is no good having a review or putting in place a code of practice. We want the current law enforced.

Last week, I think, the Minister of State, Department for Environment, Food and Rural Affairs, came to the Dispatch Box to make a statement about using live animals in circuses. He was given a bit of a rough time. It is completely unacceptable that wild animals are used for circuses. I hope that the Minister here today will take that point back to the Department to ensure that we do not use live animals in circuses anymore.

I was totally dissatisfied with the 2001 census in Southend, which left off 20,000 people—we have been paying for it for the past 10 years—and I am unhappy to tell the House that I do not believe that the present census was conducted satisfactorily in Southend either. The local authority, which has done a fantastic job, has assured me that it has not been well-handled by the Office for National Statistics, which seems to be in complete denial. Our Minister—the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd)—has done a wonderful job, but I fear that we shall be going to appeal on the census.

We have the highest number of centenarians in the country, and buses are very important for elderly people. Sadly, we depend on subsidies to run certain bus routes, and we have just had the First bus company cut the No. 24 bus. I very much hope that the Minister responding to this debate will have a word with that organisation so that the No. 24 can be restored.

I had the great honour of being the chairman of the all-party small business group. Small businesses throughout the country are struggling at the moment, particularly in Leigh-on-Sea. More publicity should be given to the reduction of rates for small businesses. We also need to do something about the empty property relief that we used to have.

I welcome the English baccalaureate. It is good that we are concentrating on core subjects, but it is not acceptable that religious education is not included in the English baccalaureate. I have received representations from St Thomas More high school, St Bernard's high school and Westcliff high school for boys, and I hope that we can have that restored.

Jo-Jo Cranfield is a very talented athlete who was born with one arm. Hopefully she will be representing us in the Paralympics, but it is absolutely disgraceful that disability living allowance has been withdrawn from her, and it has also been suggested that she have a further part of her arm amputated. I hope that the Minister can do something about that.

I am receiving increasing complaints about the Child Support Agency. It seems to be for ever blaming things on the computer—always a good excuse when things go wrong—so I hope that the Minister will have a word with the appropriate Department.

Finally, as far as fisheries and fish discards are concerned, the common fisheries policy needs to be reformed urgently. It is an absolute disgrace that Leigh fishermen are being penalised by quotas and having to throw away far too many fish.

I wish everyone a very happy Whitsun.

5.37 pm

Valerie Vaz (Walsall South) (Lab): It is always a pleasure to follow the hon. Member for Southend West (Mr Amess) and his skip around his constituency, which has left us all exhausted.

I thank the Backbench Business Committee for allowing time for this debate, which I secured to draw attention to concerns raised by a number of my constituents—residents and business owners alike—in Walsall South. Many are finding the council's approach to parking restrictions and enforcement extremely stressful. They are effectively being harassed as they go about their daily lawful business. I want to cover three areas: fines and enforcement; the council's attitude; and the case of Cyril Randle.

The story starts on 7 March, with parking charges being introduced on Ablewell street, Lichfield street and Station street. The restrictions cover a total of 310 parking spaces. Previously, people had been able to park free for two hours while they used local businesses on those streets and in the surrounding area. However, under the new rules, drivers are charged 20p for every 10 minutes, up to a maximum of two hours with no return. The charges are in force from Monday to Saturday between 8.30 am and 6.30 pm, excluding bank holidays. For now, there is nowhere free to park in town. There are fines of £50—they are reduced if paid before a certain time—yet the notices on the parking meters do not specify the amount. The restrictions and charges are very rigorously enforced. Several wardens walk down the affected streets each hour. Anyone late by one minute may be liable for a fine of £50. Some 670 drivers were issued with tickets within the first eight days of the charges being introduced, which equates to almost £3,500. Over the month from 7 March to 7 April, 1,700 parking tickets were issued. That equates to £18,000 of parking fines.

Local businesses are suffering and have reported losses as a result of the new restrictions. I have received a petition, which I will present at the end of today's debate, supported by more than 700 signatories who oppose the new rules from NE Sandwiches, Smart Cut, Super Car, Ablewell Fish Bar, Pure Therapy, Hair of the Dog, News and Booze, and Traditional Settings. Some have already experienced a drop in trade of up to 30%, and others as much as 50%. The owner of News and Booze said:

> "Nobody is going to come here and pay an extra 20p every ten minutes to buy a chocolate bar, a sandwich, or get a haircut."

The GP's surgery on Lichfield street is also being affected, with one of my constituents given a fine even though he had an appointment there. There are a number of residential properties on Station street. No exemption is made for residents to park their cars or for people making deliveries. Life in Walsall town centre is getting difficult. Mr Papanicodemou told me:

> "If no action is taken, we feel that it will lead to the collapse of many established businesses, which would result in numerous empty shop premises. The eventual outcome of this will mean a loss of business rates to the council and also increased unemployment in the area."

What does the council say? Its justification is that it is looking at the competing demands and the current arrangements to deliver the maximum wider benefit, while also contributing to the cost of providing and maintaining parking facilities, but that is not what the businesses have asked for. Balancing the need to pay for and maintaining parking facilities is not a relevant consideration in making the decision on this scheme. There has been no consultation or justification for the scheme. The council accepts that there has been a decrease in the number of people using town centre car parks. Of course there has! Businesses have said so, and trading figures suggest that people are abandoning the town centre. Now the new art gallery is closed on Sundays. What incentive is there to go into the town centre?

The case of Cyril Randle involves the salutary tale of an over-zealous enforcement officer and a council that would not back down until the court hearing, in the face of no evidence. Mr Randle came to my surgery to ask me to warn my constituents of what could happen to them if Ministers extend the powers of traffic wardens to cover offences such as littering or to stop moving vehicles involved in motoring offences. In 2006, Cyril, then aged 75, was apparently spotted spitting chewing gum from the window of a white Golf. The council had many of its facts wrong—not least that Mr Randle had not done the thing of which he was accused. On the day of the hearing, the council offered not to prosecute, on the grounds of Mr Randle's age and ill health, but he wanted it on the record that he was innocent. Representatives of the council did not turn up. His solicitor asked that all charges be dropped, and the magistrate agreed that Mr Randle was innocent. Throughout the whole process, the council never issued a fine. It had no evidence. Indeed, the driver's side window of Mr Randle's car was broken and would not open.

In conclusion, what is required is, first, public information about ending littering, rather than making vehicle owners responsible for litter thrown out of a car. Secondly, the council must not use car parking and enforcement for raising revenue. The Department for Transport's operational guidance states:

> "The objective of civil parking enforcement should be 100 per cent compliance, with no penalty charges".

This was revised in November 2010. Instead, the council should allow people to pay for the time used, just as they do in large shopping malls, rather than giving them a short amount of time and penalising them for being one minute late. I have already written to the Government's new high street tsar, Mary Portas, and invited her to visit the Walsall high streets. On behalf of my constituents, I say: give the highway back to the residents who pay their council tax, and give the high street back to the residents, so that they can linger, shop and visit the new art gallery.

5.42 pm

Jonathan Lord (Woking) (Con): In the Backbench Business debate before the Christmas recess, I spoke about magistrates court closures, and about how the Government, instead of following their localism agenda, were unjustly moving services away from some local communities in the name of efficiency and effectiveness. I firmly believe that delivering services locally can enhance efficiency and effectiveness rather than being their antithesis. So, as the Government, the regions, and those who commission and provide health services grapple with difficult budgets and soaring demands, I urge the Government, and particularly the key health stakeholders in my county of Surrey, really to think through how community hospitals could help to deliver improved health care at a local and accessible level and in a cost-efficient way.

My constituents in Woking, Pirbright and Normandy are generally well served when they travel out to the two acute hospitals located on either side of the constituency—St Peter's in Ashford and the Royal Surrey in Guildford—but I am particularly fortunate to have Woking community hospital at the very heart of my constituency. It is an excellent local facility, receiving 110,000 visits each year. It provides assessment and rehabilitation, audiology, ophthalmology, physiotherapy and X-rays, and the nationally respected Bradley unit offers a neuro-rehabilitation service for patients with multiple sclerosis and other disorders.

The doctors, nurses and staff are incredibly dedicated, and the hospital is also supported by the Friends of Woking Community Hospital, whose 350 members have raised hundreds of thousands of pounds to fund additional improvements and projects. These have included diagnostic equipment for the early detection of glaucoma, electronically operated beds and the construction of two conservatories that provide patients with a quiet, light-filled space. They even provide newspapers for long-stay patients of the Bradley neuro-rehabilitation ward. A major legacy has recently been bequeathed by Sir Alec Bedser, a long-term Woking resident, and I am sure his generosity will be put to good use. This amazing level of dedication and support is difficult, though not impossible, to replicate at the larger institutions and provides a real catalyst for future success.

I would argue that community hospitals such as the one in Woking that already have a certain size and critical mass and already have the experience, the space, the good buildings and infrastructure to offer a broad range of services to a reasonably large local population—even though they are not immediately adjacent to a main acute hospital—have enormous potential to expand their existing offerings and deliver excellent health care right in the heart of their communities.

What I am championing is the idea of a lead or a hub community hospital that offers a wider range of truly local health care, which could help to take some of the pressure off our over-burdened acute hospitals. For example, with the right medical staff on hand and good co-ordination with the ambulance service, most low-acuity ambulance calls could be dealt with at hub community hospitals. There could be an extension of medical cover at the hubs, including into the evenings and weekends, so that a wider range of sicker patients could be seen there. What about a rapid access centre, where a consultant would see and assess elderly people within one or two

[Jonathan Lord]

days to save them being sent to A and E or a busy acute hospital? Perhaps there is scope at one or two of our larger community hospitals for a temporary intoxication and related minor injuries unit. I believe that community health services can play a leading role in developing home nursing services to complement local hospitals so that patients can be released quicker to be supported at home, thus releasing hospital beds for new patients.

To its credit, NHS Surrey has held discussions about the future for community health. Let us be clear, however: over the next few weeks or months, I would like to see three things. First, I want a firm commitment that Woking community hospital will be a lead or hub hospital, albeit initially on a pilot basis. Secondly, I want some details on the service provision that is going to be enhanced and how it can be integrated with other local services. Finally, I want a commitment to funding that recognises the important future role that community health services and key community hospitals should have in Surrey.

The Government have increased the primary care trust's baseline budget by over £30 million for this year, so the plan to reduce spending on community health services by 1.5% is worrying and difficult to justify. I believe that moving more activity to community settings has a major role to play in the future clinical and financial sustainability of the Surrey health system—a view that seems to be shared by NHS Surrey—but the rhetoric about treating more patients in the community must be backed by action and by funding.

In the Woking community hospital, I have a very fine local facility. I want to see it enhanced over the coming years and I believe that NHS Surrey should support me in that endeavour. I believe that the Government and health authorities generally should also look at supporting community health right in the heart of their communities.

5.49 pm

Nick Smith (Blaenau Gwent) (Lab): I am pleased to have the opportunity to speak on what I see as a key public health issue. I shall consider the health impact of cold homes and fuel poverty. Parts of my constituency are more than 1,200 feet above sea level; our winters can be icy and our houses chilly. We wrap up warm in the valleys, but this is no substitute for a snug energy-efficient home.

People know that cold homes are bad for our health, but cold can also kill. Michael Marmot, our pre-eminent public health expert has said

> "A winter death certificate may say 'death due to heart attack', but very often cold was a key factor."

This truth must be addressed to tackle the health impacts of cold homes. The most recent figures from the Welsh Assembly Government show that 25% of households in Wales are in fuel poverty, which means they have to spend 10% or more of their net income to heat their homes adequately.

I recently attended the launch of the Marmot review of the health impacts of fuel poverty, and I want to highlight some of its findings. It found that fuel poverty

> "negatively affects children's educational attainment, emotional well-being and resilience."

It also found that

> "More than 1 in 4 adolescents living in cold housing are at risk of multiple mental health problems compared to 1 in 20"

young people in warm housing. Sadly, at the most extreme end of the spectrum, there were 25,000 excess deaths due to cold in England and Wales in the winter of 2009-2010. Our rates are higher than those of many other European countries, including the most northerly Scandinavian countries. Poor heating is leading to poorer lives for far too many people. As Sir Michael Marmot says,

> "Inequalities that are avoidable are fundamentally unfair—fuel poverty is avoidable and it contributes to social and health inequalities."

Our challenge is to align our health and environmental agendas, and to create jobs as well. A Shelter Cymru report estimates the total cost of bringing all poor housing in Wales to an acceptable standard at around £1.5 billion, half of which is needed to deal with cold homes.

Maximising take-up is an absolute must. National Government, the devolved Assembly, local authorities and health workers all have a role to play, and Members of Parliament can help with publicity. The coalition Government have said that they will deliver their green deal and the energy company obligation in the autumn of 2012, and the Minister confirmed to me last week that the ECO would be focused on fuel poverty and hard-to-treat homes. I think that the ECO should target a reduction in excess winter deaths, and in particular ensure that private sector tenants benefit from investment in energy-saving measures.

UK-wide schemes will be important in helping Wales to meet its ambitious targets. The Welsh Assembly Government already give a high priority to fuel poverty reduction. Its strategy was launched at the Coed Cae estate in Nantyglo in my constituency. There, social and private housing is being retro-fitted with external cladding to make homes more fuel-efficient. I want the Government to work with the Welsh Assembly to deliver for the people of Wales. In Blaenau Gwent, Tai Calon, our largest provider of social housing, is spending £9 million on updating heating systems and working with E.ON to invest up to £10 million in energy efficiency, and 1,000 homes will be given new double-glazed windows. In an area of high unemployment, it is important to ensure that local companies are used for those upgrades.

According to my local newspaper, the *Gwent Gazette*,

> "the Valleys consistently come top of the leagues that no one wants to win",

which include those for rates of heart disease and premature death. If the area is to move down those league tables, tackling fuel poverty must be an obligation. We must ensure that people take up what is on offer. I was appalled when National Energy Action told me that 10,000 households, a third of the Blaenau Gwent total, were missing out on their entitlement. That is the highest percentage in any constituency in Great Britain.

MPs must play their part. I saw the benefits for pensioners recently when I visited Margaret Jones in Ebbw Vale, whose new central heating system had been installed under the Welsh Assembly's scheme. NEA has a fuel poverty action guide that MPs can use to help constituents. I have written to the chief medical officer for Wales to ask what action is being taken, and whether the Aneurin Bevan Health Board is playing a referral role to help local people with home heating problems.

Ambitious targets are critically important. The investment in public health, a priority for the 21st century, is as important as clean water and clean air were in the 20th century. I want the Government to be active and drive the agenda very strongly, and to work in partnership to make a massive improvement in the health and quality of life of the young, the chronically ill, the disabled and the elderly.

5.54 pm

Justin Tomlinson (North Swindon) (Con): Working with the British Heart Foundation as part of the Heartstart UK campaign, I am calling for every child in the UK to be taught extended life support, so that when they leave school they are capable of saving a life. I want every child, and eventually every adult, in the UK to be able to do the following: recognise an emergency; contact the ambulance service immediately; administer cardiopulmonary resuscitation; and use an automated defibrillator. This campaign has received overwhelming support from across the medical, teaching and charitable communities, including from the following organisations: the British Medical Association, Research Councils UK, the Royal College of Physicians, the Royal College of Nursing, the Joint Royal Colleges Ambulance Liaison Committee, the PSHE Association, SAD.org.uk, and Cardiac Risk in the Young—CRY.

I am passionate about the issue of extended life support—ELS—because as a teenager I found my father following his heart attack, so I know just how essential it is to have these skills. I am far from alone, as there are 30,000 out-of-hospital cardiac arrests in the UK each year. Currently, only about one in 12 sufferers will survive; that means 27,500 people are dying in the community, some of whom could have been saved. On average, it takes about six to 12 minutes for an emergency ambulance to reach a critically ill patient. For every minute that passes in cardiac arrest, the patient's chance of survival falls by 10%. However, if immediate CPR—cardiopulmonary resuscitation—is given, survival rates increase threefold.

The great shame is that most people are simply not able to help individuals in cardiac arrest. All too often, passers-by simply hope that someone else will act. By training and educating individuals we can radically alter this situation. I have heard horrific stories of crowds gathering around with no one willing to step in. Thankfully, the evidence clearly shows that with training, lay people can overcome the psychological barriers and manage the patient until more advanced and experienced personnel arrive.

What I am asking for will take only 0.2% of the school year. It takes less than two hours fully to train a young person in ELS; that is the equivalent of just one physical education lesson. The training is straightforward. The recent meeting of the all-party group on heart disease, even I managed to breeze through it, as did my staff. The training can be broken into three levels, and even the most basic form of training can make a difference. For example, the body has enough oxygen in the blood so that even basic-compression CPR would be sufficient for 15 minutes, which is longer than the average ambulance response time. These skills will remain with people for the rest of their lives. We will instantly create a new generation of life savers, and they can pass their skills on, so it is a win-win situation. We have the evidence that this will work. It will allow us to change the prognosis for this devastating condition, saving thousands of lives a year.

My request is not new. Norway, Denmark and France already have this as part of their national curricula. The American Heart Association has decreed that no child who is non-proficient in CPR should be able to graduate from secondary school. The British Heart Foundation already has more than 900 schools actively engaged in the Heartstart campaign, helping train thousands of children in these essential skills. This campaign needs to be extended to every school, and with that in mind I have already met Dr Peter Crouch of the Taw Hill medical practice, and Swindon borough council, to look at ways to ensure that it is extended to all the schools in my North Swindon constituency. I urge all MPs to do the same.

Chris Kelly (Dudley South) (Con): My hon. Friend may be interested to learn that I recently visited the St John Ambulance team in Brierley hill in my constituency to see the fantastic work that it does with schoolchildren on this very subject. Will he join me in congratulating that organisation on its work?

Justin Tomlinson: Absolutely; it serves as an excellent example and it should be encouraged. All MPs have a role to play in encouraging such work.

Life support makes a real difference to survival rates. Training takes less than two hours, with the skills remaining for life. Through education and empowerment a new generation of life savers will be created, saving thousands of lives a year. I very much hope we can now ensure that this is made a compulsory element of a child's education, and thereby create an army of life savers with the confidence and skills to save many lives.

5.59 pm

John McDonnell (Hayes and Harlington) (Lab): I wish to discuss the threat to heritage buildings in my constituency. Two months ago, a planning application to build a large hotel development encompassing a 500-year-old listed building, the Dower house, in the village of Harlington, was refused by the London borough of Hillingdon's planning committee. Two weeks ago, the Dower house was consumed by fire and the police are investigating a suspected arson attack. This is just another example of what feels like the almost industrial-scale destruction of heritage buildings in my constituency.

We all value a sense of community where we live and a sense of belonging, and part of that sense of community is about valuing our local heritage. Local buildings all tell their story of how our communities developed, and are cherished for their architectural beauty and histories—the stories they tell us. This country has a proud history of protecting its national heritage buildings and sites, and I pay tribute to the work of English Heritage and bodies such as the Society for the Protection of Ancient Buildings, and the National Trust. But the battle to save our heritage is now being fought out ferociously in the suburbs of our cities and towns; it is the battle for local heritage buildings. These buildings are often unheralded and unsung wonders that lift our hearts when we discover them and their histories.

Although valued by local people, local heritage buildings, especially those in London suburbs such as mine, are being hit by a tsunami of urban sprawl and intensive pressure from property development. In my area, many

[John McDonnell]

of those buildings are still just about standing as beacons of beauty and historical interest, but they are at severe risk, as listed by English Heritage, from developers and neglect by their owners, and they are vulnerable to council asset-stripping sales or a lack of public investment.

I wish to cite three examples, in addition to Dower house, the first of which is the Harmondsworth great barn. The Society for the Protection of Ancient Buildings described it as perhaps the greatest surviving mediaeval barn in the country, and John Betjeman dubbed it the "cathedral of Middlesex". When its owner went into administration a number of years ago, the local council unfortunately failed to purchase it for £1 and it passed into the ownership of a Mr Robert Noonan. He owns it through a company called Harmondsworth Barn Ltd, based in Gibraltar. Under his ownership the barn has been neglected, and English Heritage now judges it to be in a poor condition. We have established the Friends of Harmondsworth Barn, and as a result of much effort and lobbying by local people, English Heritage has undertaken basic works to protect the barn, but is seeking a refund in the courts from its existing owners. English Heritage has put the barn on its at-risk register and we fear that, having saved the barn from a third runway, we could lose it as a result of neglect by its owner.

My second example is Benlow works, a beautiful building visible from the railway in Hayes. It is the symbol of our local industrial heritage. It was the place where the Orchestrelle factory was; this is where people built the "Aeolian" organ players. It is a grade II listed building but it is in a sorry state of neglect and English Heritage has listed it as at risk. Our only information on the owner is that the building belongs to the Freshwater Group of Companies in Shaftesbury avenue, London, but the council and English Heritage have failed to get any response from the owners to a request to improve the building, despite offers of support, including an offer of a significant grant to refurbish the building.

My third example is Golden Crescent library, a lovely building originally built by Mrs Emily Shackle in the late 19th century as a mission hall in memory of her late husband. Middlesex county council opened it as a local library in 1933 and it served generations of my constituents until last year, when Hillingdon borough council closed the library and opened a new one. Despite promises to preserve the older, listed building for community use, it is now to be sold off for development as flats and most of the building is to be demolished. The façade may remain but we will, unfortunately, lose the cherished building.

I have given just a few examples of heritage buildings at risk in my area. Our community has tried everything to protect our heritage. Working with the excellent council officers Charmian Baker, Sarah Harper and Nairita Chakraborty, two years ago I convened a local community conference to discuss our local heritage. Local residents have gone out to map and research the buildings and sites to update the council's heritage list. We have set up the Hayes and Harlington Conservation Panel, as well as friends groups for each of the buildings under threat. But despite all this we are still under attack, and I fear that we are, at times, fighting a losing battle.

My appeal is therefore for assistance at all levels of government and from other agencies that could become involved. First, I appeal to the Minister for an urgent meeting to discuss the heritage sites in my constituency, because I fear that without urgent intervention we may lose some wonderful buildings. I fear the cuts of 30% that English Heritage faces, given that more than 400 buildings are at risk in London, but I appeal to English Heritage to refocus on the London suburbs such as Hayes and Harlington. My appeal to the local council is for it to stop asset stripping and to work with the local community to protect our heritage buildings. My appeal to the owners of these buildings, particularly those I have named, is for them to contact me and work with our local community to preserve these buildings. We need powers, resources and co-operation from all levels of government and society if we are to preserve our local heritage. Once demolished, such buildings are lost for ever for future generations. We cannot let this happen.

Several hon. Members *rose—*

Mr Speaker: Order. The time limit is six minutes, but I emphasise that the wind-ups will begin at 6.40 and eight Members are seeking to catch my eye. Hon. Members can do the arithmetic for themselves, and a certain self-denying ordinance would be helpful.

6.5 pm

Stephen Gilbert (St Austell and Newquay) (LD): It is a pleasure to follow the hon. Member for Hayes and Harlington (John McDonnell), who is not the only one who has difficulty protecting his local heritage. We have that difficulty in rural areas too. Indeed, I rise tonight to express the deep anger, disappointment and dismay across my constituency that the Secretary of State for Communities and Local Government has approved a mass burn incinerator for the village of St Dennis in the heart of the constituency.

There is anger because a Government who make much of their localism agenda have overruled the wishes of the local parish council, the former district council and the former county council's planning committee, and ignored representations from Cornwall's six MPs. There is disappointment because the Government have fundamentally undermined their claims to be the greenest Government ever. There is dismay because the incinerator is the wrong solution to Cornwall's waste problems and might dominate the small village of St Dennis for four decades to come.

Let me put the incinerator in context. At 120 metres, its stack is twice the height of this building's famous Clock Tower, which houses Big Ben, and taller than the Statue of Liberty. It will dominate a small Cornish village and will be seen from many of Cornwall's beauty spots. As we enter an era of global warming, Cornwall's incinerator will belch out thousands of tonnes of CO_2 emissions and other harmful particulates.

We know that inefficient incineration, in which the energy is not used, does not move waste up the waste hierarchy. It remains a disposal in the same category as landfill. It is therefore out of step with Government policy, but that is what is happening in Cornwall, and that is what the Secretary of State has approved. The incinerator will generate more than 200 extra fuel-guzzling lorry movements on Cornwall's lanes and roads each and every day. It will depress reuse and recycling rates.

Incineration has never been the right solution for Cornwall, only the quick fix for a council caught in a blind panic.

The difficult circumstances in St Dennis mask the great strength of the people. They have put up a tremendous fight against the plans in what has always been a David and Goliath situation. They are not nimbys and since 2005 they have only ever wanted a modern solution to a modern problem. They have fought with only half the information that other sides in the dispute have.

May I ask my hon. Friend the Deputy Leader of the House directly whether waste private finance initiative contracts and the potential liabilities to which they expose local authorities will now be material considerations in planning policy, as the inspector's report suggests? Does that not fundamentally undermine the plan-led approach that the Government want to adopt? How can development be plan-led if local people who have no control over the contracts signed by a local authority will always be trumped by the provisions of that contract? How can it be right for a document for use in a public inquiry to be redacted? There should be no document needed for a public inquiry that is not available in full to all participants. I would appreciate it if my hon. Friend asked his colleagues in the Department to write to me on those points.

The community in mid-Cornwall is angry. Our faith in the democratic process has been shaken to its core. How can it be, when we have won our case every time we have put it to local decision makers, that our Secretary of State, who is responsible for localism, has overruled the local decision makers whom he says he seeks to empower? There is no doubt that Friday was a sad day for democracy in Cornwall, for Cornwall's beautiful environment, and for future generations who will look back, bemused, at the folly that has been imposed on them.

6.9 pm

Jack Lopresti (Filton and Bradley Stoke) (Con): I, too, would like to thank the Backbench Business Committee for the opportunity to speak in this debate. I apologise to any Members who were present when I spoke in the pre-recess debate last month, as I must return to the issue of antisocial behaviour which I raised on that occasion. After I last spoke on the topic, I received a full and considered response from the Minister with responsibility for crime prevention, for which I thank him. I am glad that he agreed that

> "Much of what is described as 'anti-social behaviour' is actually crime, and it has a huge impact on the quality of life of millions of decent people".

The Government are on the right track in recognising that the current measures for dealing with antisocial behaviour are bureaucratic and ineffective and that the solution lies in giving the police and local agencies more effective powers to deal with the problem at a much more local level.

I am saddened to report to the House that the constituents I mentioned in my last speech on this topic are still suffering at the hands of a few thugs who believe that they can do as they please and that they are above the law in waging their campaigns of intimidation and abuse. Just last week a crowd of about 20 were involved in intimidating a resident who said, "I have lived here all my life and this has got to stop!" The crowd followed my constituent down the road to his home where more youths arrived in two cars. Neighbours called the police who, instead of dispersing the crowd or, heaven forbid, making arrests for disturbance of the peace at the very least, simply chatted with the crowd in a manner that my constituent described as jolly and friendly. My constituent reported the matter to the district chief superintendent, who replied that he had asked a colleague to respond, but no response has been received so far. I am hopeful that when a copy of *Hansard* arrives on his desk, sent from my office, the response will be forthcoming more quickly.

I look forward to the Home Office's response to the public consultation, but in the interim I expect the local police and local agencies to make full use of the current powers for tackling antisocial behaviour and to offer the most effective means available of protecting victims and communities. It is easy to see why there is a perception in some quarters that nothing can be done about this sort of crime, but something can be done, as it was done in New York by Mayor Rudy Giuliani. In one of the most crime-infested cities in the world, he achieved real success. He realised that

> "Reducing the number of crimes wouldn't be enough: people had to see improvement, not just hear about it. If crime went down but the existing amount of pushing and shoving, urinating on the streets, and other quality-of-life issues remained the same, we would never have a convincing case that life was better. We had to get people to be safe and to feel safe."

When people feel safe, antisocial behaviour will not be tolerated by the community. Only when the local police achieve that will we see the trends of antisocial behaviour begin to reverse. I have more to say but I know we are stuck for time so I shall finish.

6.12 pm

Jesse Norman (Hereford and South Herefordshire) (Con): I would like to update the House about the progress on a subject that has become something of a preoccupation of mine of late: the private finance initiative. Members will be familiar with the details of the PFI, including its cost, complexity and lack of transparency and the level of advisory fees involved. The issue affects almost every constituency in the land and therefore almost every Member of the House.

As hon. Members will be aware, there have been far too many scandals for comfort over the years. Let me refresh our collective memory with a few choice examples. The Ministry of Defence pays £22 for each of its 100 W light bulbs. The Public Accounts Committee recently found that the project to widen the M25 took nine years simply to procure, that the cost was likely to be in the region of £1 billion too much and that the advisory fees alone were in the order of £80 million. It is an interesting fact that under the Building Schools for the Future programme, secondary schools were required to have atriums, as though they were multinational corporations, at colossal cost. One might ask why that should be so, but so it was.

Members can take their pick as to their preferred PFI scandal, so it is little wonder that the campaign to secure savings on the PFI now has 70 Members from across all major parties in the House. The campaign is not about tearing up contracts, but about renegotiating them, locating savings without a loss of services and sharing future rewards more equally with the taxpayer. Since the campaign was launched last year, we have made huge progress. The Department of Health is looking very hard, through what it has referred to as its

[Jesse Norman]

"deep dive", at its costs at Romford hospital, from which it hopes to infer a programme of cost savings that can run across the entire PFI hospital network. The MOD has reopened contracts at Corsham and two other facilities. The Public Accounts Committee is holding a hearing next month with key players in the industry to find out what has gone wrong, and I am pleased to say that the Treasury Committee—my own Committee—has held an inquiry and is holding a hearing on that inquiry's findings, focusing on alternatives to the PFI.

In recent months I have had extensive meetings with industry, with Ministers and officials at the Treasury and Cabinet Office, and with the National Audit Office. I thank my hon. Friend the Member for Daventry (Chris Heaton-Harris) for his intervention in that regard. I have had meetings extensively with the different players in the industry—the contractors, the developers, the banks, the service providers and the advisers—and I have been surprised by the positive response from those organisations. There is clearly a high level of interest in working with the Government to remedy some of the evils of PFI over recent years and setting the stage for the much improved use of private finance in the future.

However, it is important for colleagues to note that some firms remain outside the process. I will mention some in particular. Innisfree, which has been a very big PFI provider, has decided to bury its head in the sand. That organisation has been associated with some of the most lucrative deals for the private sector. It had a profit last year of 53% of its turnover. Sodexho is a very large national service provider, whose exorbitant costs I drew to the attention of the House last year, in relation to Hereford hospital in my constituency.

I draw the attention of the House to the performance of the advisers as a group—the law and accountancy firms, which have not participated so far in the process. It is striking that no matter how many transactions are done, the advisory fees on PFI deals have not fallen at all over the past 15 years.

I shall be approaching the Backbench Business Committee on 7 June for a full debate on the subject of PFI. I very much hope that as many Members as possible will join the campaign if they have not already done so, support my approach to the Committee, and speak in that debate.

6.17 pm

Gordon Henderson (Sittingbourne and Sheppey) (Con): Two weeks ago the Danish company Vestas announced that it had signed an option for 70 hectares of land at the port of Sheerness. That option opens up the possibility of Vestas setting up a factory in my constituency to manufacture its next generation wind turbine, the V164-7.0. Vestas is considering locating in the UK because of the immense growth prospects for offshore wind-generated energy in this country, but let us not be under any illusions: Vestas has plenty of alternative options on the continent.

Vestas has already made a substantial investment just to secure the land option in Sheerness, and I am convinced that it is ready to move that option to a full lease as long as it sees firm commitments from customers. Of course, potential customers will not be willing to provide those buying commitments unless there is sufficient market and regulatory certainty to ensure a long-term viable business case. I am calling on the Government to provide that certainty and to create the conditions that would enable Vestas to secure the orders for the V164, which would give it the confidence to turn the option for land at Sheerness into a full lease, start building its factory and create much needed jobs in my constituency.

I have already discussed the situation with Vestas and it is looking for a number of assurances from the Government before sealing the deal. It wants to see a support mechanism that is specifically adapted to the needs of the wind industry, as opposed to trying to make wind fit within a one-size-fits-all solution. Such a support mechanism is key to making offshore wind a long-term, cost-competitive component of the energy mix, and needs to be designed very quickly and set at a level that drives continued investment from Vestas customers. In addition, Vestas need reassurances that the UK's offshore wind ambitions will not be moderated. It wants to see mechanisms in place to avoid any prolonged hiatus in investments as a result of the electricity market reform proposals. It wants the Government to set firm and ambitious targets, specifically for offshore wind generation, and not only to 2020, but beyond to 2030. Finally, it wants timely decisions on planning applications not only for offshore projects but for the enabling infrastructure, such as grid connections and substations, which would provide more market certainty and increase investor confidence.

If Vestas sets up its factory on Sheppey, an estimated 2,000 direct jobs and 1,000 indirect jobs will be created. On behalf of all those in my constituency who would benefit from those jobs, I would like to ask several questions. First, how do the Government plan to provide Vestas with the necessary conditions that would encourage it to make that major investment in the UK? Secondly, what are they doing to overcome the obstacles that the offshore wind industry faces? Thirdly, what are they doing to ensure that investment like that proposed by Vestas comes to the UK and does not go to countries such as Germany or France, which no doubt would welcome it with open arms? Fourthly, how can the UK maintain its position as global leader in offshore wind energy and secure the jobs and economic benefits that go with it?

Fifthly, why are the Government opting for an electricity market reform package that appears to be focused on getting new nuclear power stations off the ground, rather than putting more emphasis on getting investment into renewables? Sixthly, given that the Government's £60 million so-called ports fund, which is supposed to help upgrade port infrastructure to meet the needs of the offshore wind industry, applies only to areas with assisted status, how do the Government intend to create a level playing field so that we in Sittingbourne and Sheppey can secure Vestas investment for an area of high deprivation that just happens to be located in the so-called wealthy south-east? Finally, what can the Government do to help de-risk the potential investment by Vestas? I appreciate that those are not questions to which my right hon. Friend the Minister has ready answers, but I very much hope that he will ensure that the relevant Minister provides a response as a matter of urgency.

6.22 pm

Penny Mordaunt (Portsmouth North) (Con): In my first year in this place I have often boasted of Portsmouth's assets: its superb natural harbour, which will soon host our magnificent aircraft carriers; its heritage; its high-tech industries; its entrepreneurial and hard-working people; and its remarkable natural history—after all, a third of the world's migrating Brent geese cannot all be wrong.

Given those advantages, one wonders why we have not made more progress in regenerating parts of the city. In fact, there have been serious obstacles to growth in Portsmouth, but happily they are not insurmountable. However, we might need the Treasury to give us a leg up. We have suffered from the lack of a clear and articulated vision, which is unforgivable when one considers the heritage on which we can build a strong narrative for future development.

Portsmouth is the maritime heart of this country. We have the wonderful historic dockyard and the recent developments at Gunwharf and the Spinnaker Tower, but that cannot be the limit of our aspirations. We must think about the whole area; not only Portsmouth, but Fareham and Gosport. What do we want the harbour to become? We should aim high, because with the list of assets I have mentioned we could be one of the world's premier destinations for historical tourism and maritime pursuits. I believe that the key to unlocking the potential of the harbour and to achieving a step change in regeneration for our city lies in the various surplus defence estates in Portsmouth and the surrounding areas.

One of the challenges we face is the cost of maintaining the number of historic and often listed buildings in the dockyard. That is necessary but expensive work. Pleasingly, the Government have reiterated their commitment to all three naval bases, which strategically is the right thing to do, but it is vital that those defence assets have the financial wherewithal to "wash their faces", as the burden of heritage maintenance is an unwelcome expense when the Royal Navy has so many other commitments. Those wonderful buildings should be preserved, used and enjoyed, and there is the commercial interest and the willingness of the Ministry of Defence to make that happen locally. Alas, rules designed to ensure fair competition demand such a huge investment from would-be developers, without any guarantee of success, that Portsmouth's historical dockyard continues to stand empty. Local residents and tourists lose out, as they cannot enjoy beautifully restored historic buildings, facilities—homes, hotels, shops and museums—or the jobs that would be created; the city loses out, as it is denied the economic growth and investment that would obviously result; the MOD and the Royal Navy lose out, as millions that might have been spent on the naval dockyard are being spent on the historic estate; and English Heritage loses out as precious listed buildings drift into decay.

I am sure that Portsmouth will not be an isolated case, and the Treasury needs to realise that investors will not hold their millions in reserve, waiting for the day when common sense prevails. They will take their money elsewhere, and not necessarily in Britain. We must make investment easier, and that will require a strategic alliance of industry, civic authorities, the Royal Navy, the MOD, the heritage sites and other organisations. On the current rules of engagement, however, such a vision and alliance is not possible.

A full competitive tendering process for such developments is not practical: the costs would be prohibitive, because it is so complex, and it would require the co-ordination of many stakeholders. It is not realistic for such a chain of contributors to commit themselves without any assurance of success, and the project stands a much better chance of being delivered successfully if, from the start, a close relationship can be established between the stakeholders and such a strategic alliance.

To insist on the full competitive tendering process would inevitably mean the project being broken down into smaller schemes, and that would be the death knell for integrated regeneration in the north and south of the city and through to Gosport. It would certainly remove any hope of coherent integration between military and civil needs. That is an important part of the regeneration programmes for cities and towns where the Royal Navy is the central employer, estate owner and provider of further employment and opportunity. Development needs to be undertaken on such a scale to achieve the necessary regeneration that will drive changes in residential and visitor perceptions.

Today, I ask the Treasury to consider increasing the geographical scope of the national insurance contribution holiday to some areas of the south-east, where extra help is needed and the potential for growth is considerable. In my view, Portsmouth is top of the list. I ask the Treasury also to recognise the damage that out-of-control business rates are doing in Portsmouth and elsewhere, and to work to provide incentives for local authorities to address the problem; to work with the MOD to ensure that bureaucracy and costs are reduced for potential development of surplus MOD estates; to examine how it can support the emergence of strategic alliances throughout all sectors in order to make such regeneration affordable and achievable; and finally to meet me and potential partners in such an alliance in Portsmouth to discuss those issues in more detail. I hope that that meeting can take place in Portsmouth, so that the Treasury can see the energy, drive, vision and potential of our city.

6.27 pm

Thomas Docherty (Dunfermline and West Fife) (Lab): I begin with the case of Ian Elam of Dunfermline, who is the sole carer for his wife, Jeanie, and has looked after her for about 10 years without any respite. She suffers from multiple sclerosis and requires 24-hour care. At the end of 2009, Mr Elam was persuaded by Fife council social workers to make use of a respite opportunity, and his wife entered respite care at Queen Margaret hospital. Regrettably, the staff could not cope with Mrs Elam, and her husband had to attend to her needs for about 12 hours per day during her stay, which continued until February 2010.

Unfortunately, the Department for Work and Pensions has decided that Mr Elam should lose many of the benefits that he receives during his respite from caring. I am sure the House will be surprised to learn that, when people who provide 24-hour care take a short period of respite, they lose all their benefits. After all, no one in this House or, indeed, in the Press Gallery would expect to take unpaid holiday. I should be grateful, therefore, if the Deputy Leader of the House made some inquiries about the state of the case and report back to me at a later date.

It is fitting that I follow the hon. Member for Portsmouth North (Penny Mordaunt), as I too have a naval interest. Just this weekend, the Under-Secretary of State for Defence, the hon. Member for Mid Worcestershire (Peter

[Thomas Docherty]

Luff), who is responsible for defence procurement, wrote to many Members to inform them of the outcome of the Government's strategic defence and security review and the refitting and basing of the surface and submarine fleets. Two Type 23 frigates, HMS Somerset and HMS Richmond, which had been scheduled for refitting at Rosyth dockyard, are now to be refitted at Devonport. I do not oppose the move—after all, Devonport has a large hole in its order book thanks to the decisions of this Government—but there is uncertainty about the future of Rosyth dockyard.

I am sure the Deputy Leader of the House is also aware of the ongoing uncertainties at DM Crombie, which faces an uncertain future when the last of the surface fleet is fitted out at Rosyth at the end of 2013, because there is a long gap until—I hope—the Queen Elizabeth class comes into service. I would therefore be grateful if the Deputy Leader of the House ascertained whether the Minister would be prepared to meet me to discuss the long-term future of Rosyth and Crombie.

In my maiden speech, I talked about Longannet power station, which is now the only bidder for the carbon capture and storage project. It has waited 12 months for a decision from this Government, and there does not appear to be one in sight. I would be grateful if the Deputy Leader of the House updated the House on what progress has been made on carbon capture and storage at Longannet and whether the relevant Minister of State would be prepared to meet me to discuss it.

The House will recall that I have led the charge against ship-to-ship transfers in the Firth of Forth. This decision lies with the Under-Secretary of State for Transport, the hon. Member for Hemel Hempstead (Mike Penning). I would be grateful if the Deputy Leader of the House urged him to make a decision as speedily as possible when we come back after the recess, as the uncertainty is helping no one.

6.30 pm

Mel Stride (Central Devon) (Con): My constituency is a highly rural one in which agriculture matters a great deal. It matters for jobs on farms and in the processing and distribution sectors—and of course farmers are the stewards of our land and promote tourism too. Food matters. In terms of food security, there are pressures on our population worldwide, with 6.8 billion people today, rising to 9.2 billion in 2050. The amount of land per person that was available for cultivation in the 1950s was 0.5 hectares—it is now just half that amount, and it will be down to a third by 2050. Global warming will also make farming more problematic, as will changes in dietary habits as we get wealthier and eat more meat that requires more land to produce it. That is a huge challenge.

I wish to address one or two important points regarding the challenges that face my farming community in Central Devon. Bovine TB has led to the slaughtering of 25,000 cattle, last year alone, at a cost of £63 million—something that scars the farming families who are affected. I am afraid that the previous Government sat on their hands when the Independent Scientific Group's report was published. We now await with great interest the Government's announcement, which is due shortly, on whether action will be taken on the provision of badger control licences. I urge them to take positive action in that respect. Incidentally, that has the support of the British Veterinary Association and the British Cattle Veterinary Association.

Milk prices are a huge issue, particularly for dairy farmers in the south-west. As recently as this February, the National Farmers Union reported that the cost of milk production was 29.1p per litre, which is above the farm-gate price that farmers are receiving. Much has been said in this Chamber about the importance of restraining the power of the supermarkets and creating an ombudsman for that purpose. I urge the Government to make good on their commitment for a groceries code adjudicator.

On red tape, we said in the coalition agreement:

> "We will reduce the regulatory burden on farmers".

I welcome Richard Macdonald's report and urge the Government to respond to the 200 recommendations that he made by bringing forward as many of those changes as possible, including moving towards risk-based inspection of farms to reduce their onerous nature to as limited a number of farms as possible.

My final plea is for hill farmers. Hill farm incomes in 2008-09 were just £25,700 compared with over £50,000 for other farms. Hill farming is one of the most difficult forms of farming in our country; it is very tough. These are proud, resilient, hard-working people who need our support by continuing to support the higher level stewardship arrangements and stock rearing and suckler cows on the moors. I ask the Minister to let me know what the Government's thinking is on section 68 funding from the EU, which could be directed specifically into hill farming.

I am anxious that other Members have an opportunity to speak, so I will leave it at that.

6.34 pm

Priti Patel (Witham) (Con): I will canter through some topical issues that affect families in the Witham constituency.

First, I bring good news for one Minister. I put on record my thanks to the Minister of State, Department for Transport for listening to the concerns of my constituents and removing the Greater Anglia rail franchise from National Express East Anglia. Its service was appalling. She genuinely listened to my constituents' concerns and did something about them. With the publication of the McNulty report and the ongoing work on the new long-term franchise arrangements, I make a plea to Ministers to put customer service and value for money first when awarding franchises.

Another issue is the NHS reforms. My constituency has no hospital and it asks for no hospital. However, it has two primary care trusts that have spent a lot of money over the past decade investing in bureaucrats and managers while my constituents have been left high and dry without treatments and access to local health care. That will change with the reforms. I press Ministers to stick with the principles of the Health and Social Care Bill and ensure that real investment can be made at the front line, rather than being spent on management and bureaucracy.

I am sure that all right hon. and hon. Members have had difficulties with planning issues in their constituencies, particularly in relation to Traveller sites. I have endless issues with Traveller sites and planning applications in my constituency. Ministers have had plenty of correspondence with me about this issue. I recognise that there is currently a consultation that relates in particular to Traveller circulars. There are serious concerns on this issue and I hope that Ministers will take representations from Members of Parliament and local communities, perhaps as part of the Localism Bill, and listen to genuine local concerns.

On small businesses, I have spoken tirelessly about the fact that 83% of the jobs in my constituency are in small and medium-sized enterprises. That is a tremendous figure and I would like it to be even higher. One problem with trying to make it higher is that banks are still not lending money to small businesses and enterprise is still being stifled. I make a plea to Ministers to ensure that this matter is given priority so that our wealth creators can get the private sector growing, create more jobs, and get our economy back on track.

My constituents frequently raise the sentencing of offenders and the criminal justice system with me. They are appalled by the waves of soft justice that we have seen in recent years and that it is now almost impossible to lock up criminals. In the view of my constituents, prison is there to punish people, to act as a deterrent and to keep the public safe. I urge the Government to use the opportunity of the sentencing review to restore public confidence by bringing in tougher and longer sentences for criminals to protect the public and victims.

6.37 pm

Bob Blackman (Harrow East) (Con): In the short time that I have, I wish to raise three specific issues.

The first issue is the plight of the Ashiana charitable trust, to which I was proud to give an award last night at the national Kids Count awards. It enables disabled young people and people with learning difficulties to fulfil an active life, and entertains people throughout London and beyond. It is sad to report that Harrow council has decided to remove all funding from that organisation. That is a national scandal that I hope the council will change, even at this late stage.

Secondly, I am a passionate about ensuring that there is growth in the private sector. I was therefore amazed to be told by a constituent who wants to set up a business in my constituency that he has attempted to register for VAT, and yet has been put on hold by the Treasury and Her Majesty's Revenue and Customs for 18 months. He would employ more than 10 people locally, and he has done the right thing in trying to register for VAT, but the answer that he has been given is that he should charge customers for VAT, retain the money and then hand it over to HMRC when he is finally given registration. He wishes to seek a business-to-business arrangement, but the other businesses require a VAT number before they will do business with him. He has been forced into a position where he cannot get premises and cannot buy vehicles, because he cannot afford to get the loan that is required until he is VAT registered. HMRC is acting as a direct obstacle to the setting up of that business in my constituency. I trust that we can see an end to that.

The third plight that I will allude to briefly has been exposed nationally. My constituent, Yvonne Alpagot, came to see me about Brentsouth Trading Ltd, which operates out of a garage in Southall. I have also raised this matter with the hon. Member for Ealing, Southall (Mr Sharma). My constituent found the website because she has a car with a Renault engine. The company purported to be expert in sorting out Renault engines, but she was scandalously treated. When she finally got to see her vehicle again, the engine had been removed and placed on the back seat, spilling oil all over the seat. The car had been damaged out of all proportion, and when she sought to recover the vehicle she was physically threatened by individuals in the company. She took them to court and won, but unfortunately they had closed the company just a week before she got to court.

After doing some research, Yvonne Alpagot discovered that more than six companies were operating out of a single site, and curiously enough, each of them had a number of the same directors. She found that they had closed down companies and opened them again, leaving hundreds of customers high and dry. On many occasions, they had closed down companies with court judgments against them. That is a scandal, and it needs to be put right. We need to ensure that when companies close down and there are court judgments against their directors, the directors are not allowed to start up another company performing the same function on the same site. We need to rectify that scandal.

I could go into great detail about that case, but I recognise that time is against me. What I seek, as I have said before at Question Time, is for such phoenix operations to be stopped in their tracks, so that innocent people who have no idea that those companies are trading illegally are not forced to pay thousands of pounds to companies that should not be operating in the first place.

6.41 pm

The Parliamentary Secretary, Office of the Leader of the House of Commons (Mr David Heath): I noticed when I looked at the list of Members who were going to take part in the debate, and examined their background in "Dod's", that the hon. Member for Portsmouth North (Penny Mordaunt)—I do not intend to embarrass her in any way—was once a magician's assistant, which is perhaps not widely known. It seemed me that I needed at least a magician's assistant to answer all the points that have been raised in the debate. As usual, I will not be able to do so adequately, and as usual I will ensure that the various Departments that are relevant to the points that have been made write to the Members concerned in due course.

Let us canter through the 18 contributions to the debate. The hon. Member for Falkirk (Eric Joyce), who is not in his place at the moment, talked about the ongoing controversy about privacy and the difficulty of policing online social sites such as Twitter. He is absolutely right that it is very difficult, but that does not mean that there is no responsibility on either those sites or the people who use them to comply with the law. We have said previously, and I say again, that what is illegal offline is illegal online. The criminal law applies as much to those sites as it does to anyone else, and we look forward to the work of the Joint Committee that is being set up to examine those matters and the wider privacy and defamation issues.

The hon. Member for Bexleyheath and Crayford (Mr Evennett) gave us a wonderful look at his constituency and explained the contribution that it could make to this country's tourism industry. I have been a tourist in

[Mr David Heath]

his constituency, so I feel rather superior. I took a weekend in north Kent recently, and I am familiar with Hall Place. What I did not know was that his constituency shares something with mine, because it contains an edifice that was built as penance for the murder of Thomas à Becket. In fact, the entire village in which I live was built as penance by Henry II, so the hon. Gentleman and I have something in common.

The hon. Gentleman made an important point about the capacity of our tourism, both internationally and within this country, and said that it was not just the obvious places that had something to offer. He was absolutely right, and I will ensure that he gets a full response in due course from the Department for Culture, Media and Sport.

The hon. Member for Manchester Central (Tony Lloyd) raised two very important points as far as his constituents are concerned: the closures of Edale House and of the Ancoats centre. I am not clear on the extent to which those decisions are irrevocable, but it is essential that local people have a proper input into such key decisions on their health provision. That is the entire thrust of what the Government are trying to do. We want to ensure that decisions are not top-down edicts, but that they are taken on the basis of the advice of local clinicians and the local people involved. If the Government can assist in ensuring that those matters are discussed in the context of what is right for his constituency and the people whom he represents, I am sure we would be happy to do so.

I shall leave the hon. Member for Southend West (Mr Amess) to one side for a moment, and address the hon. Member for Walsall South (Valerie Vaz), who spoke about the difficulties of the parking regime in Walsall. In fact, I was well aware of those problems, because I have been reading the correspondents' pages in the *Walsall Advertiser*, which draw attention to exactly the point she raised. Of course, that is a local council issue, and there is a limit to what the Government can or would wish to do, because such matters are best decided at community level. However, clearly, she has taken the opportunity to represent the views of many of her constituents, and as I understand it, she will present a petition later, which will include the views of News and Booze, which I notice decries its name by selling choc bars and hair cuts. I am sure that she represents what a lot of people in her constituency think on the subject of parking in Walsall.

I recall the contribution of the hon. Member for Woking (Jonathan Lord) to a previous debate on courts. His remarks today on the importance of Woking community hospital were entirely consistent with that. He is working with the grain in this instance, because the indication is that it is felt that that hospital can play a leading role in providing health services in that part of the county of Surrey. I notice that the Surrey primary care trust has made that clear as part of its forward programme, but he is right to emphasise that local hospitals can do things that the big acute hospitals cannot do, and that they can act as a hub for provision. I am glad he took the opportunity to say that.

The hon. Member for Blaenau Gwent (Nick Smith) talked about fuel poverty. He may or may not know that that subject is dear to my heart and to the heart of the hon. Member for Southend West—he has previously presented legislation on fuel poverty, and I presented a Bill on fuel poverty in the last Session of the previous Parliament. I am afraid that my Bill foundered at the hands of the previous Government, who were not quite as keen on dealing effectively with fuel poverty as the hon. Member for Blaenau Gwent and I are. However, this Government are making real progress. The hon. Gentleman was right to talk about the impact of fuel poverty on communities such as the one he represents. One thing that pleases me about our proposals is that they deal not just with the houses that it is easy to deal with, but those that are more difficult to treat. Some of the residential stock of which he spoke—in Nantyglo, for instance—probably falls into the latter category. It is essential that we do not simply go for the low-hanging fruit and the easy pickings, but ensure that we extend defences against fuel poverty to all parts of our community. I applaud him for making those points.

The hon. Member for North Swindon (Justin Tomlinson) spoke about emergency life-saving skills; that point has been raised several times recently. He is obviously right. It is essential that young people have the opportunity to learn those skills so that they can put them to good use at a later stage. I noticed that this point was raised in Education questions yesterday. I think the Secretary of State agreed that it needs to be addressed and that we need to ensure that young people have access to that information. I hope, therefore, that the hon. Gentleman will continue his campaign, although whether the teaching of those skills should be a formal part of the national curriculum, or whether there are other ways of providing them in the school programme, is a moot point. However, it is clear that young people ought to have them in their skill range for when they leave school, so that they can use them when needed—and none of us ever knows when they will be needed.

The hon. Member for Hayes and Harlington (John McDonnell) talked about heritage buildings in his constituency. I am getting to know his constituency rather better having had two of these debates with him. What has happened at Dower house, in particular, sounds very odd. I understand that it is still subject to a police investigation, so we shall see what happens with that in due course. He mentioned other buildings in his constituency that he felt were at risk, including the Harmondsworth great barn, the Golden crescent library and others. English Heritage has indicated to me that it would be happy to meet him and others in his constituency to discuss these issues. I will also extend that request to a Minister in the Department for Culture, Media and Sport to see whether we can arrange something. I know that the Department, English Heritage and the Crown Prosecution Service take heritage crime very seriously. It happens far too easily: an important building suddenly goes up in smoke, often following failed planning permission. We have got to stop that; we have got to take effective measures. I am sure he will find that he is speaking to people who agree with the basic principles he has outlined.

My hon. Friend the Member for St Austell and Newquay (Stephen Gilbert) is clearly very upset with the decision taken on the incinerator at St Dennis. I cannot tell him anything about the decision-making process of the Secretary of State for Communities and Local Government, and nor should I say anything, because he will have acted in a quasi-judicial capacity when making that decision. However, I will ensure that the points my hon. Friend raised on behalf of his constituents are communicated to the Secretary of State. I do not know whether things have changed since I sat on an authority with responsibility for such matters, but I seem to remember that there was a two-stage process: planning permission followed by an operating licence. When granting an operating licence, further restrictions or conditions could be applied. I might be wrong, however. I will certainly ensure that his points are raised with the relevant Minister.

The hon. Member for Filton and Bradley Stoke (Jack Lopresti) spoke about antisocial behaviour, which is the curse of many of our constituencies and causes much unhappiness for many of our constituents. He is right to raise it. I am pleased that he got a good reply from the Minister concerned when he raised it previously. It sounds like issues remain to be resolved in his constituency, however, and it would be sensible were he to raise them directly with Chief Constable Colin Port, because it is clear that he is not yet satisfied with the police response. It is for the chief constable to respond on those matters.

The hon. Member for Hereford and South Herefordshire (Jesse Norman) raised again the issue of private finance initiatives, on which he is fighting an excellent campaign. The key concern is value for money, yet it has become transparently obvious that many PFI schemes simply did not provide that. The Government are committed to ensuring that we get value for money whenever we enter a scheme of that kind. I know that he has had discussions—in fact, he mentioned them—with the Chancellor and the Commercial Secretary, and that he feels that real progress is being made. I hope that progress continues and we ensure that if we use that form of financing for public projects, it is not simply a way of getting the amounts involved off the balance sheet, but a way of ensuring that people have the services they need at a cost that is commensurate with their value. I hope that the hon. Gentleman will continue his campaign to achieve that.

The hon. Member for Sittingbourne and Sheppey (Gordon Henderson) is someone else whose constituency I feel I know much more about than I did a few weeks ago, having replied to a debate with him only recently. I know how important the Vestas investment in Sheerness on the Isle of Sheppey is to his constituents. He asked me a series of questions, but accepted that I would probably be unable to answer him. He is absolutely right—I cannot—but I will ensure that his questions are communicated to the relevant Minister. What I can say is that the Government are talking to Vestas about how to assist the investment that it is thinking of making. There is a problem, in that the £60 million is not available because Sheerness is not an assisted area. There are EU state aid rules and there are difficulties getting around them, but the Government are very keen on assisting the investment, as the hon. Gentleman is, and I hope we can do everything possible to make it a reality.

The hon. Member for Portsmouth North talked about Portsmouth and the issues there. One thing that I had not known until I read the background notes to this debate is that Portsmouth is the most densely populated city outside inner London. Again, not many people know that. We need to ensure that development continues in Portsmouth. She raised the significant issue of the relationship with the Ministry of Defence, and how it might be brought on board with the local enterprise partnership and the other keys to growth in the area. If there is anything we can do to make that happen more effectively, that would make obvious sense for the interests of her constituents. I will draw the issue to the attention not only of the Department for Business, Innovation and Skills, but of the MOD. Hopefully we can make progress. She would also like to talk to the Treasury about national insurance contributions relief, and I will pass on that request too.

The hon. Member for Dunfermline and West Fife (Thomas Docherty) raised a number of issues. I cannot give an answer to his point about his constituent Mr Elam and respite care, but I will ensure that the Department for Work and Pensions does. As for the shipyards in his constituency, I think he recognises the fact that not every refit can take place in Rosyth—some are taking place in Devonport—but there is work there that has been commissioned by this Government and that will continue, which is good news for Rosyth. As for Longannet, this is a key issue that Ministers in the Department of Energy and Climate Change have been directly involved in. He asked for the relevant Minister of State to visit his constituency. I am sure that the Minister concerned would very much like to do so if he could, but the Secretary of State and the permanent secretary both already have, so the hon. Gentleman has not been neglected.

The hon. Member for Central Devon (Mel Stride) talked about farming issues. He will celebrate, as I will on behalf of my constituents, today's publication of the draft Groceries Code Adjudicator Bill. We are making real progress.

The hon. Member for Witham (Priti Patel) talked about various things. She was kind enough to say thank you to the Minister of State, Department for Transport for her work on rail services. She talked about Travellers sites, small businesses and sentences—issues that I know will continue to crop up. As far as hospitals are concerned, it is absolutely clear that the main thrust of the policy will survive whatever changes are made to the details.

The hon. Member for Harrow East (Bob Blackman) talked about HMRC registration for VAT and a trust in his constituency, which are points that I am afraid I cannot answer in full.

My hon. Friend the Member for Southend West (Mr Amess) listed about 20 things in his speech, but I cannot talk about them now. Let me tell him, however, that I will spend the next couple of weeks writing to the relevant Departments about all those issues. Others will have other priorities, but I—

7 pm

Motion lapsed (Standing Order No. 9(3)).

Business without Debate

DRAFT DEFAMATION BILL (JOINT COMMITTEE)

Resolved,

That this House concurs with the Lords Message of 23 May that, notwithstanding the resolution of this House of 24 March, it be an instruction to the Joint Committee on the Draft Defamation Bill that it should report on the draft Bill by 31 October.—*(Mr Goodwill.)*

Draft Detention of Terrorist Suspects (Temporary Extension) Bills (Joint Committee)

Resolved,

That this House concurs with the Lords Message of 23 May that, notwithstanding the resolution of this House of 15 March, it be an instruction to the Joint Committee on the Draft Detention of Terrorist Suspects (Temporary Extension) Bills that it should report on the draft Bills by 23 June.—*(Mr Goodwill.)*

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

Information Systems

That this House takes note of European Union Document No. 14436/10 and Addenda 1 and 2, a draft directive on attacks against information systems, repealing Council Framework Decision 2005/222/JHA; and supports the Government's aim of working with other Member States to tackle the threat from cyber crime.—*(Mr Goodwill.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 119(11)),

Space Strategy

That this House takes note of European Union Document No. 8693/11 and Addenda 1 to 6, relating to a Commission Communication: Towards a space strategy for the European Union that benefits its citizens; and supports the Government's aims for the proposal, which include ensuring focus on resolving the current EU space programmes, avoiding any pre-judgement of the negotiations on the EU budget from 2014 onwards, and seeking further analysis to demonstrate clear added value in any new EU actions.—*(Mr Goodwill.)*

Question agreed to.

PETITION

Parking Restrictions (Walsall)

6 pm

Valerie Vaz (Walsall South) (Lab): This petition is from the business owners and customers of Ablewell street, Walsall. The petitioners oppose the new parking restrictions on Ablewell street. There are 787 signatories to the petition.

The petition states:

The Petition of the business owners and customers of Ablewell Street, Walsall,

Declares that the Petitioners are opposed to the parking restrictions on Ablewell Street.

The Petitioners therefore request that the House of Commons urges the Government to take all possible steps to encourage Walsall Metropolitan Borough Council to allow a parking amnesty of at least 30 minutes.

And the Petitioners remain, etc.

[P000923]

School Places (Finchley)

Motion made, and Question proposed, That this House do now adjourn.—*(James Duddridge.)*

7.2 pm

Mike Freer (Finchley and Golders Green) (Con): Thank you for granting permission for this debate, Madam Deputy Speaker. I must first apologise for delaying the House prior to the recess.

Education is at the heart of the Government's agenda, as is allowing good schools to expand. On Monday the Secretary of State for Education said in *The Guardian* that he was going to change the admissions code to help to meet parental demand for good schools. He said:

> "We hope the new admissions code allows the possibility of increasing planned admissions numbers so good schools can expand, and there will be underperforming schools that have fewer and fewer numbers."

That is spot on, but it assumes that the popular schools are able to expand. In Finchley there is no shortage of good schools at primary and secondary level. We even have schools with the space to expand; what we do not have are the capital grants to fund the expansion. The schools in Finchley are part of the family of schools in the London borough of Barnet, and Conservative-controlled Barnet is consistently one of the best local education authorities in the country. Barnet is enthusiastically pursuing many new academies and free schools.

Before turning to the lack of capital support from the Department, I want to reassure my hon. Friend the Minister that the council has not sat by and done nothing about the shortage of places. Several years ago, it recognised that there would be an increase in demand for primary and secondary places and, in the absence of Government support, it embarked on its own £250 million primary school expansion programme. Starting in 2004, using a mixture of prudential borrowing and capital raised from asset sales, the programme set about rebuilding, expanding and refurbishing the primary estate. Barnet is forecasting that pupil numbers in the maintained secondary sector will continue to grow, and that they will grow by 22% by 2015-16. That is the second highest growth rate in the UK. The situation is not helped by the Greenwich decision. LEAs are unable to put their own pupils first.

The factors combine to create a demographic shift that Barnet council cannot cope with—certainly not without help. Hitherto, enough help has not been forthcoming. This outstanding LEA has not been rewarded for its education record. Having delivered new schools on time and on budget, however, the authority was invited to join the last phase of Building Schools for the Future. I hold no affection for the BSF programme, as I saw Barnet council being forced into a process it did not need and could not afford, at a cost of hundreds of thousands of pounds. The promised £83 million under BSF would have allowed three schools to expand and be refurbished—and two of those schools are in Finchley. The schools lost out when BSF was cancelled, so good schools and a good local education authority were penalised again.

I am sure that the capital division of the Department will argue that Barnet has received capital that it should use for expansion. I know that, because it wrote to me in forceful terms to tell me, but Barnet has received an average of just £14.6 million over the past few years for non-academy, non-children's centre spend. That is money earmarked for new boilers, new toilets, roof repairs, rewiring and so forth—simple basic maintenance. With more than 120 schools in Barnet, that is just £122,000 per school. To put that into perspective, the cost of rewiring one secondary school alone was £1.9 million. The allocation does not go far. It is true that the council could have diverted that capital for school expansion, but is the capital team really expecting a first-class local education authority to tell parents that their school's broken boiler or leaking roof cannot be fixed because the money has been spent on expanding another school in a different part of the borough?

The council cannot simply borrow the money. I would like to stress that borrowing approval, supported or otherwise, is no help at all. Barnet council has been on the funding floor for several years and borrowing approval is useless if the debt servicing cost is unaffordable because it falls on the general fund paid for out of general council tax. The capital allocation formula appears to need a complete overhaul. The increase in demand for state places has been seen across every borough in London. It is inequitable that London accounts for 64% of pupil place shortages and yet receives just 26% of the capital allocation.

Bob Blackman (Harrow East) (Con): My hon. Friend is making a powerful case for the plight of Barnet, and indeed for the whole of London. Does he agree that we are talking not only about issues related to expanding schools, but about allowing parental choice, so that faith-based schools are an important part of the equation? We have identified the need for a Hindu secondary school located between Harrow and Barnet, and I look forward to working with my hon. Friend to secure support for it from the Department.

Mike Freer: My hon. Friend makes a very good point. The expansion of the Hindu faith school somewhere between Barnet and Harrow would not only meet parental preference but relieve pressure on the remaining schools in the maintained sector.

To return to the iniquity of the shortage of places and the capital funding allocation, that discrepancy between 64% of places and just 26% of funding means that London is short-changed by more £300 million in the existing allocation.

The current shortage of primary places has been met by providing additional classrooms in portakabins, by changing information technology rooms and libraries into classrooms, or simply by making children travel much further to an available school space. That is not a sustainable solution.

Things are no better in the secondary sector. The area is served by the Bishop Douglass mixed Roman Catholic comprehensive school, which is over-subscribed with 383 applications for 180 places, and by the Compton mixed comprehensive school, which is also over-subscribed—and every applicant from Finchley N2 was rejected; not a single pupil could get a place there. Mr Speaker went to the Compton school—or the Finchley Manorhill school, as it was then called—but he would not get in today, as he lived too far away from it. Then there is Christ's college, a boys-only school—again over-subscribed, with 424 applications for 150 places. St. Michael's Catholic grammar school for girls has 370 applications for just 96 places. We also have Henrietta Barnett, a highly selective girls school, grossly over-subscribed with 2,000 applications for 180 places. Then we have Copthall, a girls comprehensive. It too is over-subscribed, and 100% of applicants from N2 were rejected simply because they lived too far away.

In the past fortnight alone I have received 200 emails from worried parents. Let me report just some of what they have said. Mrs Catherine Atkinson wrote:

> "I have lived in East Finchley for 28 years. My son got into Fortismere by the skin of his teeth 8 years ago and I remember the stressful wait for the letter saying he had the place. Those not so lucky because they lived maybe 200 yards farther away from the school were offered either Bishop Douglass school or…Christ's college."

That would more difficult today, because those schools too are over-subscribed and full.

Mrs Carey wrote to me:

> "I live in Long Lane. My daughter is in year 5 and my son is in year 4. Our position is as follows: Fortismere—we're not in catchment and are unable to afford property prices in Fortismere catchment. Wren Academy Church of England—we are not churchgoers and we are not close enough geographically either. Compton—not in catchment. Christ's College—we would be in catchment for our son, but that is not much help for our daughter! Bishop Douglass—it is at heart very much a Catholic school",

and they are not churchgoers.

> "Henrietta Barnet is highly selective."

In Barnet, first preferences granted stand at just 62%, and once second preferences have been allocated, just 85% of parents secure their first or second preferences. That is well below the national average of 85% and 96% respectively. I appreciate that capital is scarce, and I appreciate the difficulties that the Minister is experiencing. I am not asking him to issue a cheque this evening, although I am pretty sure that we would name a school after him if he did: the "Gibb Academy" does have something of a ring to it.

I hope the Minister will accept my view that we must seek to overhaul the capital allocation formula, reward good local education authorities, fund good schools so that they can flourish and expand, help parents to secure their preferences, and give pupils the best possible education and start in life. All that I ask this evening is that he agree to meet me, along with the chief executive and leader of the council, to discuss what targeted support he is able to provide.

7.12 pm

The Minister of State, Department for Education (Mr Nick Gibb): I congratulate my hon. Friend the Member for Finchley and Golders Green (Mike Freer) on securing the debate. Let me say at the outset that I will accede to one of his two requests, and that I will reveal which it is at the end of my speech.

I know that my hon. Friend is no stranger to the issues surrounding Finchley and Golders Green, as he has served the community well in local and national Government for a number of years. The Government are well aware of the pressures faced by many local authorities in London, including Barnet, in their attempt to provide enough suitable places to meet higher demand arising from the increase in birth rates and other demographic changes. I am also familiar with the argument

[Mr Nick Gibb]

advanced by London Councils—which my hon. Friend mentioned at the beginning of his speech—about the inequitable levels of funding received by London boroughs. The figures are not in line with our data, but I have asked officials to meet councils to discuss theirs in more detail.

The Government ascribe considerable importance to meeting the Department's priority of ensuring that every child has a good school place. Responsibility for balancing supply and demand rests with individual local authorities. We look to members of those authorities —as the people with the best and most relevant local knowledge—to ensure that there are enough places and that local schools meet the needs of local communities. They are in the best position to know how many schools are needed, and where those schools should be located to serve local populations.

For its part, the Department for Education supplies capital funding directly to local authorities to help them to provide school places. Through the recent spending review and this year's Budget, the Department secured £15.9 billion of capital funding over the four-year period starting in April this year. By taking early action to stop the wasteful Building Schools for the Future programme, the Secretary of State has been able to ensure that funding is available for the most pressing needs. He has allocated £800 million to local authorities for pupil places in 2011-12, and has indicated that he expects that level of support to continue for the other years of the spending review. That is twice the previous annual level of support that was given for those needs. It has been targeted on the areas of greatest demand, based on forecasts of pupil numbers provided by each local authority, and in addition to allocating the £800 million for additional pupil places the Secretary of State has informed local authorities of their overall share of capital funding for 2011-12.

Local authorities have been asked to prioritise spending to provide new places in areas experiencing severe demographic pressures, as well as to address the needs of the schools in the very worst condition. The London borough of Barnet and its schools have been allocated almost £17 million of capital funding for 2011-12, which includes £9.4 million for the provision of basic need places. Local authorities are also able to use money allocated to school maintenance to address basic need and vice versa. They have that flexibility. Barnet has also benefited from a substantial contribution from Government to JCOSS, or the Jewish Community secondary school, which will over time provide an additional 1,300 places in the area.

Forecasting future pupil numbers cannot be an exact science. That is why the Department has used the school census returns of the number on roll for 2010 as the starting point for basic need funding. As well as giving actual numbers on roll, the census collects information from each local authority on forecast growth areas for the three years to 2013-14. That information was used by the Department as the basis for the basic need funding calculation for 2011-12.

By using that informed approach, the Department has been able to target funding to where growth in demand has been forecast by the local authority. However, it must be stressed that, as a result of the actions taken, we have been able to allocate all of the basic need funding to the local authorities as the providers of places in their local area, and as a consequence I am afraid to say that no unallocated or additional funds are available for local authorities to call upon during 2011-12. Alas, we are therefore unable to make an exception for Finchley. I think I have now answered one of my hon. Friend's two requests.

We are serious about getting education funding right in the future. I agree with my hon. Friend that the current capital allocation system is overly complex and unfair, which is why the Department is taking steps to ensure that future capital expenditure delivers greater value for money for everyone involved in the education sector, and that the maximum number of children benefit. We have already made changes to the allocation system to address one of my hon. Friend's main concerns. I recognise that some local authorities were in practice unable to use supported borrowing. That is why for all schools we have allocated capital funding in 2011-12 as capital grant. That means authorities at the floor receive real funding to address their need for school places.

Last year, the Secretary of State commissioned Sebastian James to conduct a full and independent review of the Department's capital programmes. That review has now been published, and the Secretary of State is currently considering its recommendations. They include the proposal that there should be a new approach to the future allocation and use of all the available capital funding. The Secretary of State hopes to respond to the recommendations shortly.

Future capital allocations and the management of funding for 2012-13 until 2014-15 will be informed by the outcome of the capital review. However, as I have said, the Secretary of State has already indicated that local authorities can expect that the headline amounts of capital available in future years will be in line with those of 2011-12. As well as providing funding to meet basic need pressures and radically reviewing the way in which capital funding is allocated and spent in future, the Government are pressing forward with their academy and free school programmes. I am aware that my hon. Friend's constituency contains two open academies, the Wren academy and the Compton school, both of which he mentioned. By giving those involved in education the freedoms to shape the future of our schools and by opening up the opportunity for others to enter the education sector, we believe that we are offering an education system that will meet the needs of local communities.

I hope that the House will acknowledge that the steps the Government have taken and continue to take to ensure that future capital investment benefits those in most need represent the correct approach. By tackling the areas of greatest need first and then developing a new approach to future investment that delivers value for money, I believe that we are making the best use of limited taxpayers' money to improve the fabric and quality of our schools. I know that my hon. Friend is aware of the very difficult fiscal situation faced by the country, but I would be pleased to meet him and his colleagues from Barnet council to discuss these issues further. On that note, Madam Deputy Speaker, may I wish you and the House a very fruitful recess?

Question put and agreed to.

7.21 pm

House adjourned.

Westminster Hall

Tuesday 17 May 2011

[Mr Graham Brady *in the Chair*]

Social Care Services

Motion made, and Question proposed, That the sitting be now adjourned.—*(Paul Burstow.)*

9.30 am

Alex Cunningham (Stockton North) (Lab): I look forward to serving under your chairmanship, Mr Brady. I am pleased that we have the opportunity to debate this important subject, which is being discussed more widely around the country by families and individuals who fear for their future.

The Government will try to boast that they are providing extra cash for social care, but that is not how people out there see things. "Hardest hit"—that is how the thousands of disabled people who marched in the streets outside this place last week described themselves. One woman from Billingham in my constituency, who has been blind since the age of 18, was among those who made the long trek to Westminster, and she told me about her anxieties and the effect that the cuts will have on her life. She and the other demonstrators had every right to be angry; they will be the hardest hit by the Government's proposed cuts to disability benefits and the hardest hit by the swingeing cuts to council services that began this year, with more to come over the next three years. That means four years of anxiety and dread for families and individuals whose way of life depends on services with an uncertain future.

Last year, adult social care services helped 1.7 million adults to do things that most of us take for granted. Those 1.7 million adults remember the Chancellor speaking of his £6 billion cuts to local government grants and saying:

> "Not a single penny will come from the frontline services that people depend on."

How hollow those words ring today. I am sure the Minister intends to refer to the £1 billion that the Government are giving councils over four years to spend on social care services and to the £1 billion that doomed primary care trusts are supposed to spend on them over the same period—cash they are expected to take directly from the health budget, which the Prime Minister claims to be so protective of.

The trouble is that even the Conservative-led Local Government Association calculates that £4.6 billion is needed just to stand still and to maintain services as they are today. The reality is that the £530 million of additional funding that the Government have provided for social care in their first year is dwarfed by the £3 billion that councils have had to cut. According to the *Financial Times* and the Association of Directors of Adult Social Services, £1 billion of that has been cut from adult social care.

Lilian Greenwood (Nottingham South) (Lab): Adult social care accounts for £1 in every £4 that my local authority in Nottingham city spends. Does my hon. Friend agree that it is inevitable that social care services will be affected when a local authority's budget is cut by more than 16% in just one year, as Nottingham's has been?

Alex Cunningham: It most certainly is. My hon. Friend says that social care accounts for £1 in every £4, and a 16% cut represents a considerable reduction in the amount available to spend on social care.

ADASS also concludes:

> "savings on this scale simply cannot be achieved through doing the same things more efficiently or by trimming management costs".

As for the money that has gone to PCTs, can the Minister tell us, hand on heart, that he has any idea how much of it will be spent on social care this year? Given the revolution unleashed by the Health and Social Care Bill, PCTs have had other issues on their mind as they have sought to protect services during a transition period that will see them abolished. More importantly, this transition period threatens to reverse the progress made on health and social care over the past few decades. I just wonder what guarantees there can be that we will have properly commissioned and funded care once PCTs have gone and have been replaced by consortia that do not have the expertise and understanding of our community's wider health and social care needs.

Media reports just this weekend outlined the profits that some think can be made from the health and social care system, effectively taking hard cash from the front line. The Prime Minister's senior adviser, Mark Britnell, told a New York conference attended by the giant private health care providers that dominate in north America that the changes over the next two years will provide a "big opportunity" for the profit-making sector. As I am sure hon. Members will know, no one can make profits without taking cash out of the system. I look forward to hearing what reassurance the Minister can give those who will be hardest hit. What is his guarantee that profiteers will not have their way with the NHS and related social care services?

I know that Ministers get fed up with MPs from the north highlighting the divisions in our country, but the BBC is highlighting them now. In a survey released last week, it identified a new north-south divide, with social care spending this year falling in the north while actually rising in the south, although I will question the value of that so-called rise later. The BBC's findings reflect the differential impact of the cuts, with councils in the midlands and the north more reliant on central grants and thus hardest hit. The findings may also reflect demographic differences and the effect of falling property values on people's ability to self-fund.

In the north, spending will fall by 4.7% in the current financial year alone. Then there are deprivation factors to be taken into consideration. Local authorities in the most deprived areas—many are in the north, but they are elsewhere as well—have the worst mortality figures and the highest incidence of long-term ill health, but they are suffering the deepest cuts in spending power. Front-loading the cuts means that huge changes must be brought in quickly, giving little time for consultation with staff and service users over the best way to minimise the impact on front-line services. That said, I would not like anyone to get the impression that things are rosy in

[Alex Cunningham]

the south. The 2.7% increase in spending in the south is about half the rate of inflation and does not keep pace with need. Nor will it be enough to prevent real people from losing real support—support that, in the Chancellor's words, they depend on.

My main purpose in securing the debate, however, is to consider the human impact of social care cuts, not just to debate dry spending figures.

Anne Marie Morris (Newton Abbot) (Con): I note what the hon. Gentleman says about funding. He briefly mentioned the issue of commissioners and quality, which is clearly as important as funding. Does he share my concern that the changing role of the Care Quality Commission, which will now monitor providers rather than commissioners, will mean that there is a gap and therefore a risk that commissioners will not be held to account and provide good-quality care?

Alex Cunningham: Yes, I agree that there is a considerable risk. I should say that I have been much impressed by the role played by local authorities in health scrutiny. I hope that the Minister will answer the hon. Lady's question directly later.

The successful judicial review against Birmingham city council's adult social care cuts looks set to be hugely significant. The Minister might be tempted to hide behind a carefully drawn veil of localism, but does he really consider it acceptable that Birmingham should seek to withdraw support from 5,000 people? Many of those people could be in a situation where abuse or neglect have occurred, or will occur, or they could be unable to carry out the majority of their personal care or domestic routines. They will be the real losers in all this.

Does the Minister consider it acceptable that 2,145 elderly and vulnerable people in Lancashire will have all care and support removed, as part of cuts that are the subject of another judicial review? Does he consider it acceptable that desperate families are being forced to go to the High Court to try to prevent devastating damage to their quality of life or that of family members?

In West Sussex, the "Don't Cut Us Out" campaign has brought people together to campaign against eligibility cuts. If Members visit its website, they can read testimony from Tony, who has limited mobility. He must carry an oxygen cylinder wherever he goes and he is susceptible to blackouts and periods of deep depression. He will lose all the benefits and support currently provided by West Sussex county council. He says:

> "My current care package...provides for 13 hours of care support each week and has kept me out of hospital for much of the last two years, saving the Country hundreds of thousands of pounds. Before, I was in hospital for six months at a time, and once discharged was being re-admitted every two weeks or so. I can't imagine what my life will be like without this support."

Back in the north, local people, service users and staff have been campaigning to halt the closure of Leeds crisis centre and the threat to mental health day services in Armley and Hunslet. At a packed campaign meeting organised by Unison, a campaigning trade union of which I am proud to be a member, a service user said, "I am saving the council money by using these services; when living in London, where there weren't these services, I had many hospital admissions; I have had none since living in Leeds."

Mencap provided me with a graphic example of what the cuts mean for George and his daughter, who are from Rotherham. George's daughter has profound and multiple learning disabilities. Due to her disability, she is doubly incontinent and requires the use of many disposable items of medical equipment. She lives with her dad, and as part of her care package, the council picks up all body and medical waste from the household. The waste includes faeces, urine, blood and vomit. Mencap says that Rotherham council has gone from collecting the hazardous waste once a week to once every 14 days and has reduced the amount that it picks up by 50%. The council has also stopped providing specialist waste bags for the disposal of the waste, leaving the family to cover the additional cost themselves. That bodily waste now goes into black bin bags mixed with household waste, which are sent to landfill. These stories illustrate the fundamental truth: these cuts are a false economy with devastating human, social and economic costs.

In a recent national survey by a group of charities, including Carers UK and the Alzheimer's Society, half the respondents said that increased charges for care meant that they could no longer afford essentials such as food and heating, and more than half said that their health had suffered as a result. We must consider the services run by voluntary organisations—dare I say it?, the big society—that offer early help for people who do not necessarily qualify for assessed council support. Day care centres, meals on wheels, support groups and drop-in centres are being cut because they are losing grant funding.

Jackie Dray used to run four support groups called "Elders with Attitude"—I love that name—in Birmingham, but she was told in March that her £30,000 council grant was to be cut altogether. She now runs only one group and is desperately looking for alternative funding. She said:

> "They are cutting luncheon clubs or groups like mine that could make a difference between somebody remaining in the community or sinking into clinical depression and residential care. For a small amount of money, you could delay the point at which people have to go into hospital. I see a lot of clinical depression in carers and cared-for alike. People are teetering on the brink. There's a lot of frustration, worry, lack of sleep."

Before we can consider the future of social care services, we have to consider the consequences fully.

While we await the Dilnot commission report on long-term funding and the Government's response to the Law Commission review, the Government are, in effect, already re-engineering the infrastructure of care and support. As services are razed, my fear is that capacity is being lost, services are being withdrawn and staff are being lost—capacity and skills that cannot easily be recreated. The Government are seeking to soften people up and lower their expectations, to get them to accept a return to reliance on family and buying from the open market with their own funds, or a patchwork of precarious charitable provision from a third sector suffering its own cuts and challenges.

I want to turn to the ideal, which I thought all the parties shared, of personalisation in adult social care. I fear that that ideal is being lost. The cuts mean that the policy, which promised much, is fatally undermined. Social workers and care managers tell their union that they are being expected to reassess personal budgets with a view to cutting them. I know that they need to consider value for money for all care packages, but they believe that they are expected to make cuts to get the budgets down.

A forthcoming report on a survey that Unison conducted with *Community Care* will highlight the fact that the paperwork and bureaucracy associated with personal budgets is excessive and inaccessible for service users. I question the Minister's decision to prescribe from Whitehall that personal budgets be provided in the form of direct payments. That appears to be at odds with his claim to be a champion of local determination and removes choice from people who wish to have a managed budget. It appears to be linked to the aim of completely withdrawing state provision. Individuals will be expected to navigate the market or take on what many will see as the onerous and stressful responsibility of becoming an employer. I urge him to reconsider the prescription of direct payments, as there is evidence that it will restrict choice, but more importantly, distress some of our most vulnerable people, who already have enough challenges in life.

As we contemplate the future of adult social care services, there can be no under-estimating the scale of the challenges that we face as a society: by 2041, the number of adults with learning disabilities, we are told, will have risen by 21%; the numbers of young people with physical or sensory impairments by 17%; and disabled older people by a massive 108%. We all know that the number of dependent older people is set to increase hugely. The Association of British Insurers says that currently 20% of men and 30% of women will require long-term care at some point. If we add to that the challenges of the increasing number of young adults with complex needs who will need very expensive care packages for decades; the 170,000 people with a learning disability who Mencap tell us live with parents and carers who are already over 70 years old; the growth in the number of people with dementia, which the Alzheimer's Society says is set to soar by a third to 1 million people by 2025; the costs facing authorities due to alcohol misuse; and the number of people with obesity-related problems, then we can see that the Government's proposals are destined to fall well short of what is needed.

The director of children, education and social care for Stockton-on-Tees borough council, which serves people in my constituency, says that we have to be mindful of the knock-on effect of the reduction in other funding streams that impact on adults—the independent living fund, the Supporting People programme and affordable housing funding. She tells me that some of the funding streams that have historically been linked with it are being reduced or ceasing, while her department works to maximise people's independence.

Lilian Greenwood: Does my hon. Friend share my concern that these cuts come alongside the cuts to disability benefits outlined in the Welfare Reform Bill, in which Ministers talk about targeting those in greatest need? Is not there a danger that disabled people with moderate needs could lose all support and face isolation and a loss of independence?

Alex Cunningham: That is very much the case. A stream of people have come to our surgeries or to see us in Parliament, and there seem to be so many attacks—left, right and centre—on some of the most vulnerable people in our society. As my hon. Friend says, something needs to be done if we are to arrest this situation.

The director of children, education and social care for Stockton-on-Tees borough council says that the result of the cuts, if we have limited extra care and supported living options, will be a further over-reliance on residential provision. An integrated health and social care facility and extra care scheme in Billingham in my constituency was an important part of my council's strategy for supporting people, but the Government refused the private finance initiative credits to make it happen. Would the Minister prefer his granny, mother or other elderly relative to be forced into residential care when they could have been supported in their own home or an extra care facility and had the independence that I know most older people want?

Another area of concern is the shortfall in funding to support carers. Yes, I know that the Government allocated a welcome £400 million for carers' breaks, but other funding managed by PCTs to support adults and their carers is not ring-fenced in any way, and although some flexibility is needed, carers, who are often seen as the poor relation, could end up all the poorer.

The sector skills body estimates that the social care work force needs to double by 2025, yet it is a sector characterised by labour shortages, low pay, poor prospects and a poor image. Some 60% of care workers hold no care qualifications, and only 20% have a national vocational qualification level 2; only 10 % have an NVQ level 3. Before anyone intervenes on that point, I should say that I believe that previous Governments, including our own Labour Government, could have done more to address that issue. However, it is not just Governments' responsibility; other organisations, including service providers, should play their part in driving up qualification standards and meeting the costs.

Is the provision made by such organisations being properly managed or being left to the market? In Stockton, we have over-provision of residential care places, some of which are under financial pressure, including those owned by Southern Cross, which is seeking £100 million from investors to secure its future. Surely we need some kind of controlled management or strategic planning to get this right and ensure that standards are maintained.

We must look to the future of adult social care. We need immediate action to lay the groundwork for genuine reforms to flourish. The Chancellor said that his cuts would not touch front-line services; he should be prepared to say that he got it wrong. There is an urgent need for a new plan that looks again at the local government settlement and works with local authorities to ensure that front-line services are funded to meet need. Everybody agrees that we must do more to give early help because it prevents dependence and saves money on acute care, and yet those services are first in line for the chop. Will the Minister genuinely and strenuously consider the recommendation of a duty to provide early help for adult services such as that which Professor Munro made for children's services?

The Minister must reconsider the equation of personalisation with the transaction of receiving direct payment. Personalisation is not about ticking boxes and having the right number of people receive direct payment. Trying to make it work in the context of the cuts requires him to spend time talking to practitioners and

[Alex Cunningham]

service users about what is happening on the ground and what they think the priorities should be. We need to get it right for individuals.

We need an improved and comprehensive work-force strategy covering training, development and qualification standards as a condition of provider registration and a commitment to working towards a living wage for all care workers. We must work with work-force representatives to boost the autonomy and confidence of practitioners. I am sure that the Minister will welcome, as work-force regulators have, Unison's duty of care handbook for health and social care staff. The handbook aims to promote awareness among workers of their duty of care and other professional duties, and of how to raise concerns about poor practice.

Costs, too, need to be addressed urgently. The Association of British Insurers says that the average cost of care in residential homes in the UK is approaching £25,000 a year, with people in England spending an estimated £420 million a year on private home care. This question was not sensibly debated during the general election. We need cross-party co-operation to reach a long-term sustainable solution to the problem.

Anne Marie Morris: The hon. Gentleman raises a question about care homes and fees. Does he agree that one way to solve the problem would be to introduce a standard contract? At the moment, there are great differences in provision; there is no consistency in standards, which means that one person's care can be very different from another's.

Alex Cunningham: During my time I have visited many care homes, and I have seen many variations in quality and standards. I have seen some places where elderly people were highly motivated and excitedly engaged in activities and others where people were sitting in seats glued to the television—at least, I think that they were glued to the television; they certainly seemed to be in another world. I agree with the hon. Lady that we need a solution of exactly the sort that she outlines.

There is an overwhelming desire to end the postcode lottery for care. It is important that when people move around the country, they should receive the same standard of care without their cases being constantly reassessed. Recommendations made by the Law Commission for national eligibility criteria and carer assessments are a start in plotting a way forward. We must end the cost-shunting and turf wars between health and social care over continuing care assessment and funding. Do the Government still intend to allow the Law Commission to draft a Bill to simplify the legislation, and if not why not?

When Dilnot reports, we need to hear from Ministers a genuine commitment to cross-party engagement on long-term funding. The Minister must realise that a voluntary insurance market, like that described by the Prime Minister's senior adviser this weekend, will not be acceptable to a public worried about the workings of the discredited financial services sector.

As well as a new funding system, we need to review the quality standards of service regulation, with greater emphasis being placed on the importance of providers having a stable, highly skilled and confident work force. The quality of care is all about the quality of relationships, but for as long as we have a 25% turnover of care staff we are letting down the hardest hit, who deserve much better.

The future of social care and its funding is not a matter only for this generation or this Government. We all have a responsibility. I hope that the Minister accepts that the Government should not go it alone, but should work with everyone involved to find the kind of long-term solution that will help to ease the anxieties of an increasing number of disabled and elderly people.

I end with a question for the Minister. If we are all in this together, why is it that adult social care is the hardest hit? Is it not the case that the most vulnerable are taking a disproportionate hit? I hope that the Minister will accept my points and other constructive points made during this debate, and that he will answer our specific questions. He should reflect on the unfairness of what is going on. He should realise that despite all the statements, funding is not meeting today's needs and that current plans will not address the increased demands of the future. I hope that he will tell all those who receive adult social care services that he will make changes to current and future plans to ensure that the most vulnerable have a quality of life that most of us take for granted.

9.54 am

Catherine McKinnell (Newcastle upon Tyne North) (Lab): It is a pleasure, Mr Brady, to serve under your chairmanship. I congratulate my hon. Friend the Member for Stockton North (Alex Cunningham) on securing this morning's debate, which concerns an incredibly challenging and complex matter.

I am concerned that few Government Members are here today, so I congratulate the hon. Member for Newton Abbot (Anne Marie Morris) on attending. That makes me think that we are not all in this together, and it seems that only Opposition Members wish to represent their constituents on this matter.

I wish to contribute to this debate specifically on the standard of care being provided to vulnerable elderly people. I recently participated in a series of hard-hitting reports by Tyne Tees Television's "North East Tonight" programme. Tyne Tees's findings on the standard of care provided in some care homes in the north-east were distressing and disturbing, and I am pleased to have the opportunity today—again, I thank my hon. Friend for securing the debate—to highlight some of those concerns and present them directly to the Minister.

I must point out that there are some fantastic care homes in the north-east and that they have some dedicated staff and carers. However, the "North East Tonight" reports were timely, being broadcast in the same week that a paper by Newcastle university's institute for ageing and health predicted a care home crisis unless there is major investment in the care system to support the rapidly increasing number of elderly people.

In 2010, there were 2.6 million people aged over 80, but by 2030 that figure is expected almost to double to 4.8 million, with one in five needing regular care. The Newcastle university paper predicted that there will be an 82% increase in the number of care home places needed—that is 630,000 extra places between now and 2030 just to cope with the demands of an increasingly older population.

In its investigations, Tyne Tees uncovered reports of former care-home workers who were forced to leave their jobs. Those workers were given bad references, which make future employment in the sector difficult, because they had blown the whistle on the unacceptably poor standards of care. That included lifting the lid on cases of dangerously poor hygiene, of residents not being fed properly, of a lack of interaction between staff and residents and of a total lack of stimulus for the people living there. The investigation also uncovered cases of appalling neglect of vulnerable care-home residents—according to relatives, it was often because there were simply insufficient staff on duty to ensure that their loved ones' needs could be properly taken care of.

Tyne Tees also reported that many relatives were afraid of reporting concerns about the quality of care being provided, because they thought that it might put their loved ones in greater danger. It is understandably difficult to complain about the poor standard of care being provided for a relative when, in the first instance, the complaint has to be made to the people who are providing it.

Tyne Tees invited me to view its findings. What immediately struck me, as a mother of young children, was the contrast between the standard of care provided to young children in child care settings and the standard of care provided to vulnerable elderly people in care homes. If Tyne Tees had uncovered similar cases of neglect and fear of whistleblowing in nurseries in the north-east, I am sure that there would have been a national outrage, and rightly so, yet the treatment of older people is too often shamefully brushed under the carpet.

The Tyne Tees series of reports received unprecedented feedback through e-mails and Facebook comments, and people wrote to Tyne Tees to back up its findings and report similar concerns. That shows the level of concern across the north-east—and, I am sure, across the country—about the situation.

I recently had to intervene in support of a family seeking help for Jessie Wiseman, an elderly constituent. She is 91 and blind, and she was found living in squalor after ambulance workers paid a routine visit to her property. Despite concerns having been raised by her GP and her son about Jessie's deteriorating condition, social care workers failed or act and she rapidly declined. That is why I welcome the recommendations in the recently published Law Commission report to introduce a set of statutory principles, a statutory basis for adult safeguarding boards and a duty on councils to assess carers and investigate adult safeguarding cases.

Mr David Anderson (Blaydon) (Lab): Is it not the case that the failings in adult care have gone on for a long time, because, unlike child care, it has never had a statutory basis? In arguing for such a basis to be put in place, we may find that the Government say that this is just more red tape and bureaucracy.

Catherine McKinnell: I agree that that is a great concern, which is why the Minister must take on board the deep concerns that are being expressed today. In any event, reforming the law will still not be enough.

I am pleased that, as a result of the Tyne Tees investigation, the Care Quality Commission has agreed to review its reports and to conduct unannounced assessments on the homes in question. However, I am concerned that it appears to have required a television programme to spur the Care Quality Commission into action. By placing their loved ones in residential care, people are putting huge amounts of trust in a service. They rightly expect that the Care Quality Commission is adequately monitoring, regulating and inspecting all care homes on a frequent basis.

Anne Marie Morris: The hon. Lady has made some extraordinarily good points, and the Care Quality Commission certainly needs more help to do an effective job. Now that we have an outcome-based set of performance criteria, homes need to be given guidance on how to comply with them. In my meetings with the Care Quality Commission, it says that it no longer gives advice, which means that it is an uphill battle for any home to ensure that it provides the quality of care that is needed and that it complies with the new criteria.

Catherine McKinnell: I agree that the Care Quality Commission should take a proactive approach to improving the quality of care in our adult services.

Another worrying statistic is that on-site inspections in care homes have fallen by 70% since the Care Quality Commission was introduced in October 2010. That must worry anyone who lives in a care home or who has a loved one in a care home.

Will the Minister consider the following issues because they are crucial to the future provision of social care services? What further steps can the Government take to ensure a much greater level of protection and safeguarding for vulnerable elderly people in residential care? What measures will he take to ensure that the culture of fear that was spoken about by people participating in the Tyne Tees reports is broken down, so that care workers, relatives and residents feel confident and safe in raising concerns about the standard of care? What steps is he taking to improve the status, pay and training of care home staff, who are doing an incredibly difficult and important job? How will he ensure that the swingeing cuts to local authority budgets over the coming years do not detrimentally impact further on the quality of social care being provided to elderly people, particularly at a time of ever-increasing demand?

10.3 am

Mr David Anderson (Blaydon) (Lab): It is a pleasure to be serving under your chairmanship, Mr Brady. I congratulate my hon. Friend the Member for Stockton North (Alex Cunningham) on securing this debate, which is timely not just because of the demonstrations that we saw outside this place last week, but because we are in the pause before the Health and Social Care Bill comes back to Parliament. This debate is also a matter of great personal passion. In 1989, thanks to the behaviour of a previous Tory Government, I lost my job in the coal industry and had to take up a job in care. Although I ended up in that sector almost by mistake, it was one of the best things that ever happened to me. I met some fantastic people who were dedicated to taking care of the frail and vulnerable people in the city that my hon. Friend represents. Sadly, in the early 1990s, a lot of that

[Mr David Anderson]

care, commitment and dedication was lost. A series of cuts from the national Government decimated the care services across the whole country, and we see the same happening today.

I hope that the Health and Social Care Bill will be withdrawn in its entirety. Despite what they say, it is clear that the Government are leading us to a privatised NHS. The experience of social care should show us what happens when we put services out to the private sector. We are told that the White Paper has been delayed. There may be some last-minute qualms from the Government about how far they can go against public and professional opinion. I am surprised that the pause has happened now, because public and professional opinion has always been against this Bill, even when it was first announced. Perhaps that opinion took a while to sink into the minds of the Government; it certainly did not immediately sink into the minds of the Liberal Democrat members. It clearly has now, and thank God for that. I hope that the Minister, along with his colleagues in his party, will work with other people across society to ensure that the Bill does not go any further and that we do not see the same damage to the health service that we have seen to the social care services.

Research carried out by Unison suggests that, if recent trends continue, the last council-run residential care homes will have closed in 15 years' time and there will be no local authority-employed home care staff left by 2020. That is part and parcel of this Government's drive not just to boost the private sector but to deconstruct public sector provision and give councils less and less responsibility. The anti-public sector phalanx in the Cabinet will, I am sure, be happy to see that happen and it will celebrate the disappearance of council-run services. It will argue that the private sector always performs better, despite the fact that that has not been shown to be the case.

Alex Cunningham: My hon. Friend is talking specifically about local authority provision of care homes. Is it not more important that we invest in extra care facilities and that we work with elderly people so that they can live in their own homes, because that is what the vast majority of them want to do?

Mr Anderson: I agree with my hon. Friend. My own personal experience was in a purpose-built site that did just that. We took in people for a week at a time for respite and we also provided day care, but the individuals all lived in their own homes. Although that was cost-intensive in labour terms, the quality of care was good. We took care of not just the individual but the needs of the family, and we built very close working relationships with them. If we want to have quality care in this country, we must bite the bullet and accept the fact that we have to pay for it. The previous Government accepted that if we wanted quality health care, we had to increase the public payment into it.

Catherine McKinnell: In my contribution, I highlighted the worrying case in my constituency of Jessie Wiseman whose care at home was contracted out to a private care provider. Some 15 visits took place over eight weeks before she was discovered in an appalling state. However, the local authority took no responsibility for it. This story feeds into the debate on the worrying trends that can take place when services of this nature are put out to the private sector.

Mr Anderson: The privatisation of home care services in this country has been a complete failure and a nightmare. I have represented home care workers for many years and have seen the service deteriorate. We had a dedicated work force who had a set list of clients whom they went to see day in, day out. They built a relationship with that person and their family. When those jobs were contracted out, it was said, "We will send worker A on this day and worker B on that day." The home care worker lost that direct link with not just the family but the wider team within the authority. That team would work together and take a holistic view and work better for the person concerned. It is clear that services are being contracted out to save money. If we save money, services will not be as good.

It is clear that we will see problems being stored up if we lose public sector capacity in home care services. At the moment, some 31,000 residents are being taken care of by Southern Cross Healthcare. Their homes now hang in the balance as a result of reckless business practices and local commissioning, which has allowed the organisation to become so dominant in the market. Southern Cross and Four Seasons—the big two in residential care—have operated casino-style finances, and both are now teetering on the brink of collapse. A toxic cloud, formed by irresponsible borrowing, weakening demand, council cuts, the slump in care home property values and the collapse of favourable credit facilities, now hangs over the heads of frail elderly people and their families at a time of insecurity and when they need real security.

How has it come to this? How has RBS, a state-owned bank, become the biggest shareholder in Four Seasons in exchange for writing off debts of £300 million? Would taxpayers' money not be better spent directly on care homes run by democratically accountable councils, rather than being tied up in byzantine financing arrangements?

Across the social care market, research by *Community Care* suggests that one in five providers expect to go out of business in the next financial year. The regulator describes the home care market as a cottage industry of small, often barely viable providers alongside a few giants such as Care UK, whose chairman kindly provided £21,000 to fund the personal office of the Secretary of State for Health—perhaps that is one reason Care UK is doing so well.

If Southern Cross, Four Seasons or indeed local providers collapse, how will local authorities find new homes for people when they no longer run them? When home care providers default, as they often have and might in future, how will local authorities fill the gap if they have scrapped their own home care teams, which is happening up and down the country?

What about the quality? Care Quality Commission data show that privately provided care services are less likely to be rated "good" or "excellent" and five times more likely to be rated "poor". I know that the Government do not like targets or standards, but when their own commission is saying such things its message should be listened to. Private providers consistently score lower on a range of indicators of quality and safety. When we look at the employment practices of some providers, we cannot be surprised that home care workers do not stay in their job. They are not paid for their travel time between visits, and they have to provide their own mobile phones and pay for their uniforms. They suffer from underpayments; they often have zero-hour contracts; and they sometimes have to pay towards the cost of administering their own time-sheets. No wonder people do not see it as a job for the future or a career that it is worth investing their time and talents in. We need real regulation of employers to stamp out employment practices that have impacted so badly on home care users and, through them, on staff.

Where are we today? We have a Government who want more from staff for less; who want more work by fewer staff, because they are making 500,000 public sector workers unemployed; who want more pension contributions from less pay and for poorer pension provision; and who want people to spend more time at work by making, in particular, women work until they are 66 years old, with less time at home and in retirement.

What did we get last week? The Chancellor has a new red tape initiative. What is he going to do when people are losing their jobs? If there is a chance of redundancies being managed sensibly, what does he talk about? He wants more chances of people being sacked, with less chance of real support by limiting the time to consult. People will have more chance of being made redundant and less legal support to challenge decisions taken by their employer.

The CQC sees a vacuum in regulation and in the checking of safety and quality of care. The CQC's risk-based approach is resulting in a dramatic drop in inspections. A freedom of information request by *Community Care* found a 70% drop in CQC site inspections in the past year alone, at a time when more people are in need of care.

Anne Marie Morris: I thank the hon. Gentleman for being so generous in giving way. The statistics are interesting, but care homes in my constituency of Newton Abbot complain that more visits are being made. I spoke to the CQC just this week and it said that it was making on-site visits to every home within its purview in the south-west. There might be a regional difference, but in the south-west, where there are a huge number of elderly people, the number of visits is going up, not down.

Mr Anderson: I thank the hon. Lady for that. More inspections are good: we want inspections that work; otherwise, we will get into the problems that my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) mentioned.

Staff and service users fear that there is an over-reliance on provider self-assessment and secondary sources rather than direct inspections. There are fewer indicators and data sources for adult social care providers than there are for NHS providers, yet the methodology is common. Alongside a "lighter touch" approach from the regulator, local authorities are cutting quality assurance departments, which, as *Community Care* showed, means fewer local checks on the quality and safety of care being provided.

Some of the changes that the unions and workers at the CQC would like to see, which I agree require serious and urgent consideration, include reinstating and strengthening the requirements on the types of incidents and issues that must be reported to the regulator. These should again include medication errors, significant injuries, accident and emergency admissions, safeguarding referrals, matters where staff are subject to disciplinary action or dismissal and unusually high staff turnover. Those are all indicators of things that might be going wrong, but they are not being recorded as they should be. A minimum frequency should be set for how often a service is visited.

I have no doubt that the hon. Member for Newton Abbot (Anne Marie Morris) is correct about the experience in the south-west, but it should be replicated across the country because it would give people greater confidence that things were being done properly. There should be a greater range of tools so that service users and employees can make their concerns known to people who can affect outcomes. We want to encourage people who want to blow the whistle where necessary, and give people whose relatives are in care confidence that, if they make a genuine complaint, the care will not be reduced.

I hope the Minister will look at my points, provide answers on the failures of private adult social care providers and say whether anything can be done to make the CQC more representative. For years, adult social services have been regarded as the Cinderella service, which is a disgrace. People are in care not because they want to be but because they have to be, so I hope we will work together to try to make adult social care something this country can be proud of.

10.17 am

Lilian Greenwood (Nottingham South) (Lab): It is a pleasure to serve under your chairmanship, Mr Brady.

I congratulate my hon. Friend the Member for Stockton North (Alex Cunningham) on securing this debate on an issue of huge importance to many of our constituents, who are among the most vulnerable in society, including older people, disabled people and carers—people for whom adult social care services are an essential source of support in their daily lives.

My hon. Friends have eloquently and passionately articulated the real and serious concerns about adult social care services, but I want to focus on the importance of the social work profession in building adult social care services fit for the future.

Labour Members are pleased that the Government have proceeded with the work that Labour started on reforming the social work profession, and I welcome the Government's decision to continue to support the work of the Social Work Reform Board. As a consequence of cuts to budgets for adult social care services, it now feels as though the very future of social work with adults is under threat. Councils across the country are proposing deep cuts to the number of registered social workers they employ, to be replaced with a range of staff employed in roles such as care co-ordinators and support workers. I know that the staff are committed and caring, but, like my hon. Friends, my concern is that this restructuring is prompted not by seeking to improve the quality of care but by the need to reduce spending on salaries. Like my hon. Friends, I am fearful of the consequences of this loss of capacity. It represents

[Lilian Greenwood]

a serious loss of skill and expertise in the work force, at a time when people's physical, mental and emotional needs and family dynamics are becoming ever-more complex.

It is hard to escape the impression that social workers in adult services are, as my hon. Friend the Member for Blaydon (Mr Anderson) said, the Cinderella service—the poor relations. The media attention given to tragic deaths of children as a result of abuse has served to sharpen public focus on children's social work, but the consequences of social workers in adult services being poorly managed, supported, valued, trained and developed are just as critical, as my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) pointed out. Excessive case loads, defective IT systems and too much paperwork are also facets of adult social workers' daily lives, and they get in the way of those workers' ability to practise effectively.

The Government have said that they have given the Children's Workforce Development Council £79.9 million for social work initiatives in 2011 and 2012. There is work to develop an advanced professional status in children's social work to enhance the development of those who want to progress in front-line practice rather than in management, and the Munro review of barriers to direct social work with children and families has come up with some excellent recommendations—all to be welcomed. Does the Minister understand, however, that the lack of similar investment and activity in adult social work is leaving practitioners feeling overlooked, and has knock-on consequences for morale and future recruitment and retention? What plans does he have to address those concerns?

My trade union, Unison, represents 40,000 social workers and has developed a 10-point plan for social work within adult services. I support its call for a "clear political commitment" through "policy and regulation channels":

> "to strengthen the role of social work in adult services"

covering the

> "central importance of social work in care and support of adults, and…halting the development of 'social work on the cheap'."

Is the Minister willing to give such a commitment?

A survey last year of social workers in adult services found that two thirds of respondents felt that the time they had available to spend with each service user was not sufficient to meet their needs, and that nearly a quarter felt that the time available was very insufficient. An overwhelming 96% of respondents believed that too much of their time was spent on paperwork, and only a third believed that joint working with the NHS was effective in their area. They reported structural difficulties, such as remote management, the marginalisation of social work and the duplication of paperwork required because of incompatible IT systems. Although only 3.5% of social workers in England are directly employed by the NHS, many more are seconded to the service from councils, but the status, standing and representation of social work in the NHS is virtually invisible.

Social work plays a vital role in mental health services, addressing the social needs and safeguarding the rights of patients, and hospital social work is essential in enabling rehabilitation and preventing readmissions. A recent survey by Counsel and Care stated:

> "Hospital social workers are being bypassed by health professionals, who in some cases are dealing directly with the family rather than using the social worker service to plan discharge…The hospital teams can sometimes function as 'brokers', trying to discharge older people in to care homes themselves without proper assessments being undertaken by social workers."

Does the Minister agree that NHS trusts should ensure that social work is represented in their management and governance structures to prevent such practices? Health employers need to engage much more closely with the social work reform agenda, accepting responsibility for playing their part in its implementation.

Adult social care services are vital and will be increasingly needed in the future, as my hon. Friends have pointed out. Social work faces a number of serious and pressing issues, and I look forward to hearing how the Minister plans to address them.

10.23 am

Emma Reynolds (Wolverhampton North East) (Lab): It is a pleasure to serve under your chairmanship, Mr Brady.

I congratulate my hon. Friend the Member for Stockton North (Alex Cunningham) on securing this debate on an incredibly important issue. It is a great cause for celebration that people now live longer, but it brings new challenges. Our society—and our Government—should be judged on how we look after our most vulnerable people, and I want to focus my contribution on the care of the group of people who tend to be the most vulnerable: the elderly.

My hon. Friend said that there is a large, sustained increase in the percentage of people needing long-term care, and the projection is that the figure will continue to rise. As has been pointed out, the standards of care in care homes vary greatly, not only across the country but within regions and sometimes within cities—there is even variation across my constituency of Wolverhampton North East. My grandma is in a great care home in neighbouring Staffordshire, which provides wonderful care, and I want to pay tribute to the care workers there, and to those across the country in good care homes. We know, however, that that is more the exception than the rule.

I am very concerned about the drop in the number of inspections of care homes by the Care Quality Commission. I echo the questions asked by my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) about how the Government can guarantee that care home standards across the country are at least good—not poor—and how they can stop those who seem to want to make a quick buck out of the industry and ensure that care home staff are given basic protection rights and paid properly.

I want to turn to the pressing issue of the financing of care, which the previous Labour Government tried to deal with perhaps a little too late. Thousands of people across the country have to sell their homes to fund long-term care, and the cross-party talks regrettably broke down before the general election, with the Conservatives preferring to score political points and publish posters about a "death tax" rather than engage seriously with this most important issue. However, I congratulate the Liberal Democrats, in particular their then health spokesperson, the hon. Member for North Norfolk (Norman Lamb), who stayed in the talks and was willing to reach some kind of consensus.

I know that the Minister will not want to answer some of my questions because the Government are awaiting the outcome of the Dilnot commission, but I urge him to consider the shortcomings of a voluntary contribution model. Experts in the insurance industry have pointed out that people are unlikely to take out insurance 30 years before they might need the care, and international evidence suggests that such a system is unworkable. France has the largest voluntary insurance market for long-term care but there is only a 15% take-up, so if the Government go for that option, which was in the Conservative manifesto—I am waiting to see what the coalition will do—it is almost as good as doing nothing. If we introduced the model and people did not take up the care, we might as well have done nothing at all.

My hon. Friend the Member for Stockton North said in his closing remarks that this is a matter for generations to come, and it is most pressing that we have a system that enables the Government to provide care for the elderly in the years to come. I said at the start of my speech that this is a great cause for celebration, but it brings a new challenge, and I urge the Minister to consider the value of making this a cross-party issue and ensuring cross-party consensus on the financing of long-term care for the elderly.

10.28 am

Emily Thornberry (Islington South and Finsbury) (Lab): I do not believe I have served under your chairmanship before, Mr Brady, and it is a pleasure to do so.

I congratulate my hon. Friend the Member for Stockton North (Alex Cunningham) on securing the debate, and on his excellent contribution and the moving examples that he put before us. The truth is that not enough time is spent in the House on this fundamental issue, which is vitally important to many of our constituents; but we have had a very good debate today.

There seem to be two issues here: the structural problems and the cuts. My hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) touched on standards of care and on ensuring proper status for social care workers. My hon. Friend the Member for Blaydon (Mr Anderson) made a very important political analysis of the ongoing problems, and my hon. Friend the Member for Nottingham South (Lilian Greenwood) demonstrated her great expertise in this area.

My hon. Friend the Member for Wolverhampton North East (Emma Reynolds) yet again raised the importance of ensuring a long-term solution and expressed our continued regret that this issue was essentially bombed before the last election by the Conservative party, which decided that it was better to make cheap political points than for us all to work together. I assure the Minister that when the Dilnot commission reports we will not be emulating the behaviour of the Opposition at that time and that we will approach the matter with an open mind. We need a fair and sustainable solution, and we want to be able to work together on that. In the end, the issue is more important than party politics, and we must work together not just to find a solution but to implement it.

During the comprehensive spending review, the Government flourished the fact that they were giving an additional £2 billion for social care, but a few months later, local authority budgets were slashed by 8%. Given that social care is top-tier councils' biggest area of discretionary spending, it was simply inconceivable that it would not be hit.

The Local Government Group and the Association of Directors of Adult Social Services both raised concerns about the implications for social care of the CSR local government settlement, warning that the extra £2 billion was simply not enough to meet demand. They argued that the spending gap during the period was likely to be between £3.5 billion and £4 billion due to increasing demand from our ageing population, which will add another 4% a year to social care costs in upcoming years.

Of course, some efficiency savings can be made, but they will never be enough to meet the shortfall. Personalised budgets and various reforms might be able to save some money, but the Minister should listen to those who know, such as ADASS and the Local Government Group, when they say that they will be billions of pounds short when it comes to social care. In those circumstances, they will not be able to protect the most vulnerable in our society. The much-vaunted £2 billion is simply not enough, especially ~~as it is not~~ ring-fenced. Will the Minister tell us whether the whole £2 billion, half of it or a quarter will be spent on social care? Can he do anything if not all of it is? Furthermore, can he confirm that he does not know whether it will be spent or not?

Not only are the Government cutting back on social care through local authorities under the cloak of localism, they are no longer doing centralised assessment of adult social care provision. In other words, they simply do not know what is going on. It is extraordinary that unprecedented cuts are being made at a time when local authority provision of social care is no longer being monitored, yet the Government steadfastly maintain that there need be no cuts to front-line services.

The Secretary of State for Communities and Local Government said that

> "cutting front line jobs and hitting front line services isn't inevitable—it doesn't have to be an option at all",

and the Minister said:

> "It is wrong to scare people about cuts. The coalition Government has prioritised social care—the spending review announced significant extra funding for social care for each of the next four years, increasing to an extra £2 billion investment in 2014-15...This extra money means no councils need to reduce access to social care".

It is simply not good enough for the Minister to put his fingers in his ears and sing "La la la." The truth is that cuts in social care are being made now. Although he might not know about them, I can tell him, because ADASS, the BBC and I have done surveys. Last month, I surveyed directors of adult social care in England and got 61 replies, representing a 40% response. I appreciate the detailed responses by 27 Conservative councils, 29 Labour councils and four Liberal Democrat councils; that was, obviously, before the last local elections. The responses showed that 88% were increasing their charges,

[Emily Thornberry]

16% were increasing eligibility criteria and 7% were considering charging more in the longer term. Many were closing day centres and care homes, 54% were cutting the voluntary sector and a further 24% were considering it for the future.

As predicted by everyone who knows, cuts are happening. Councils have not been able to meet increasing demographic pressure, which ADASS believes amounts to £425 million in 2011-12 alone due to the rising number of older people and people with learning disabilities needing substantial support. The ADASS survey shows that, far from increasing spending to meet rising needs, local authorities in England have cut adult social care spending by £1 billion.

We have heard in this debate about the terrible consequences of cuts to front-line services for the most vulnerable in our community. The fact of the matter is that as a result, an elderly woman might no longer get up at breakfast time but at lunch. She might not have an advocate, but we have a duty to ensure that such people are protected. It is not good enough for the Minister to remain in Whitehall saying that there need be no cuts to front-line services. He must listen to the reality of what is going on. Not to address the funding shortages in local authority social care is reckless and wrong.

Funding cuts also mean that local authorities cannot invest in preventive services, so the cuts being made now will have knock-on effects in the long term. If someone does not have a regular visit—if their shopping is not done for them, or if they are not got up in the morning on time—they are more likely to go downhill faster and to end up in hospital. Some 52% of respondents to my survey said that the cuts adversely affected the development of new preventive services. Services that could reduce the need for long-term care and promote independence are among the first to go, but that only increases the strain on health and social care services in the long run.

It is irresponsible of the Minister to continue to say that no cuts need be made to front-line services. Will he admit that he was wrong not to listen to the warnings and to say that front-line services would not be cut? Will he also admit that efficiency savings alone cannot deliver the huge cuts being forced on local authorities? What is he doing to increase the provision of social care now that he has heard the truth about what is going on?

The holy grail, as we all agree, is integration of social care and health, but the difficulty is that the Government are, on one hand, cutting local authorities extensively and, on the other, taking the health service by the ankles, turning it upside down and shaking it hard. Those are not ideal circumstances for the two bodies to integrate properly. The Bill calls itself the Health and Social Care Bill, but it contains precious little social care. There is a great deal of talk about integration, but words are not enough.

When it released the results of its survey recently, ADASS recommended that, as the Government are pausing to reconsider the Health and Social Care Bill, perhaps they might pause long enough to hear the results of the Dilnot inquiry and radically reconsider their plans for long-term care. If they want to be radical on health and social care, that is the area of need. We do not need the fundamentally misguided Health and Social Care Bill as it is drafted. We do not need competition driven into the heart of the NHS. What we need is co-operation and collaboration. We need health and social care to work more closely together.

If the Government are to pause, let them pause and think about that. Let them pause and ensure that, for example, we can keep the elderly out of hospital for as long as possible by allowing social services to provide proper social care, and that once someone is in hospital, they can get out quickly. That is the only fair way to treat people. Frankly, it also saves a great deal of money. If the Government spent more time, energy and resources on solving such issues and a little less on introducing competition into the national health service, we would all be a lot better off. I know that in his heart, the Minister agrees, but he has unfortunately found himself in the difficult position of having to defend this extraordinarily awful Bill.

I may have argued those points when the Bill was discussed in Committee, and I am glad to hear that ADASS now agrees with me in general. I am also glad to hear that the right hon. Member for Charnwood (Mr Dorrell), never one to allow a bandwagon to pass him by, said that the legislation should be rethought:

> "A clear commitment should be written into the Bill to achieve full institutional and managerial integration of the NHS and adult social care in England."

The Select Committee Chair agrees with us as well.

I ask the Minister to reconsider funding and the reality and to give us an undertaking that he will no longer make false claims that there need be no cuts to front-line services and that he will do something about the matter. I also ask that the Health and Social Care Bill be worthy of its name, if it is not killed off completely. It needs major change so that social care can be integrated properly into health care. Worthy words are simply not enough to achieve that.

10.39 am

The Minister of State, Department of Health (Paul Burstow): It is a pleasure to serve under your chairmanship, Mr Brady. I congratulate the hon. Member for Stockton North (Alex Cunningham) on his luck in securing the debate and on his choice of subject.

I agree with the hon. Member for Islington South and Finsbury (Emily Thornberry) on one point at least, which is that social care is not debated and discussed in this House anywhere near enough. I speak with the experience of 13 years in opposition and as one of the few who has carried the candle for social care and advanced the arguments, which I have heard others make today, on the need to focus on quality and to make sure that we do well by and develop the work force. I shall return to some of those points.

I agree that the long-term reform of our social care system should no longer be deferred to the long term. It requires our full attention now. We need to make sure that, during the life of this Parliament and, I hope, with the assistance of people of good will from all sides, we can secure lasting reform of both the law and the funding arrangements for social care. Our constituents expect no less of us at this time.

The hon. Member for Stockton North began by referring to last week's march and lobby. A number of constituents lobbied me, and I met several of them at my surgery last weekend to discuss their issues. They have real concerns, to which the Government are listening and want to respond properly. We share a common goal, which is to maximise personal independence to allow people of all abilities to fulfil their potential. That has to be the common goal of both our benefits system and our social care system. It is certainly this Government's ambition to achieve that.

I do not belittle in any way, shape or form the stories of the lives of individuals and the impacts of decisions made about spending in different parts of the country. The hon. Gentleman has rightly set out those individual and personal impacts. However, I will offer him a reflection on the past 13 years and, indeed, before that. The stories that he has told could have been told and have been told over the past 13 years, during which time we have seen a gradual tightening of eligibility criteria. Indeed, in 2008 the Learning Disability Coalition published a survey that showed that 72% of what were Labour authorities at that time anticipated—indeed, they were budgeting for this—tightening their eligibility criteria for access to services from "moderate" need to "substantial" need or even to "critical" need. I will discuss the reality in a moment.

Although the hon. Gentleman has rehearsed some important points, what I did not hear was a scintilla of humility, a suggestion of any doubt, or a slight recognition that we are where we are at least in part because of actions taken over the past 13 years. It would have been good to hear just a little indication that we are where we are because of what has already happened.

Alex Cunningham: Will the Minister give way?

Paul Burstow: In a moment. If the hon. Gentleman will let me make my point, I will be happy for him to attempt to rebut it. There are things that did not happen over the past 13 years. We did not get to a position where we had a clear statutory basis for adult safeguarding. We did not get to a position where we had consistency of regulation, because the regulator was constantly being abolished and reformed. Funding has been inadequate for many years, and we have seen a failure, for various reasons over 13 years, to find a way forward that has secured consent for funding.

Alex Cunningham: The Minister said that I did not show any humility, but I specifically said that the previous Government and others before them could have done much more on social care. I specifically said that, and it is important that that remains on the record. In the past 20 or 30 years, no Government have addressed the fact that so many more older people and so many more young disabled people will require tremendous support. I hope that the Minister will acknowledge that we all need to do this together.

Paul Burstow: Yes; we can build on that point. The Government recognise the importance of social care and the fact that it lets people live independently, which is what it should be about. It should be about enabling people to live well, to be safe, to continue to do things that we take for granted and to be active participants in civic life.

As has been rehearsed in this debate, there are big challenges. There are demographic challenges and the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) has outlined some of those facts. The hon. Member for Wolverhampton North East (Emma Reynolds) has rightly said that, while we should be concerned about the challenge, we should not be so concerned as to forget to celebrate the fact that we have an ageing population—a population that is living for longer and, in many cases, living healthily for longer as well. We also have changing societal expectations and a greater expectation of being able to make choices for oneself, to be in control of one's own life and to be able to have high standards of support to facilitate that. We have financial challenges. We have a structural deficit. For every £4 that this Government spend today, £1 is borrowed, and we are spending £120 million every day on interest charges.

Reference has been made to the survey by the Chartered Institute of Public Finance and Accountancy for the BBC. I have to say that, of the many surveys that have been produced, including that of the hon. Member for Islington South and Finsbury, it is probably the least robust of the lot. There we go—I give the hon. Lady credit that her survey must be more robust than that of CIPFA, which did not provide a great deal of detail and did not ask the right questions. Indeed, those who answered the questions were not all social services authorities, and they included things in their figures that are not part of social care. Even the Association of Directors of Adult Social Services has criticised that piece of work.

On attempting to address and mitigate the impact of the reductions that the Government have had to make in formula grant over the past year, we have strived to mitigate it in those areas with the greatest needs to make sure that we have increased the support in those areas, relative to others.

The hon. Member for Stockton North talked about high mortality figures in constituencies such as his own. Again, we have to dwell on why that is still the case after so many years, why we still have that legacy, why we have to continue to address those challenges, and why this Government, through their commitments in public health and elsewhere, are determined to make progress.

Despite the deficit legacy, we have taken some decisions. Members have forecast that I would refer to them, and I make no apology for that. We set out in the spending review in October how we would ensure sufficient resource in the system to allow decision makers at a local authority level to protect social care, if they decide that that is their priority. We have a good settlement in that context. An additional £2 billion will come to social care by 2014-15, and that money is getting through. In January, £162 million was put into social care via the national health service, which is something that we were asked to do and which we have done to ensure that social care gets additional support. Moreover, there is £648 million of additional funding from April this year. That money is going to social services departments and is being transferred by the NHS for that very purpose. A further £1.3 billion is supporting the transfer of funding for the commissioning of learning disabilities.

Those sums constitute the biggest transfer of hard cash from the NHS to social care ever. It is not only about supporting social care, but about breaking out of silos. It is about using cash to get people to start having those dialogues that are so important to achieve the collaborative behaviour and integration that are essential to delivering better services for our citizens.

[Paul Burstow]

On top of that is the £530 million that will come through the formula grant. I will not micro-manage, from this Chamber or my desk in Whitehall, every single social services authority and tell them how to use that money. It must be their decision, based on need, and they are accountable for such decisions.

Emily Thornberry: The Minister has anticipated what I am about to say. First, if money is being transferred from the health service to social care, I presume that it is being done by primary care trusts, which are at the same time being abolished. Is he confident, therefore, that that money is properly accounted for by the Department of Health, given the current chaos reigning within the health service? Secondly, will he tell us how much of the money given to local authorities is actually being spent on social care in the way in which it is supposed to be?

Paul Burstow: The answer to the first question is yes. The answer to the second question is that I will write to the hon. Lady with further detail. However, it is certainly the case that money is being agreed between the NHS and social services for the provision of social care services that support health and underpin prevention.

I would also like to refer to the work of the King's Fund, which is reputable body that is often cited by Opposition Members. It has confirmed that, if we take into account efficiency savings, there is no funding gap for social care during the spending review period. Of course, the grounds on which some councils have made their budget judgments mean that some have acted to protect social care through innovation and the redesign of services. Other councils have decided to change their eligibility or charging policies.

Reference has been made to the ADASS survey, which shows that social care spending as a share of council spending has increased. The hon. Member for Islington South and Finsbury has referred to savings that local authorities are making. For every pound of savings that will be made from social care this year, 70p is a result of efficiency and doing things differently and only 20p—this is still something that I regret—is a result of actual reductions in service.

Yes, eligibility has been tightened, but that is not new. As I have mentioned, a survey carried out by the Learning Disability Coalition shows that those tightenings in eligibility criteria have been part and parcel of local government decisions for many years. Indeed, the ADASS survey shows that, when this Government came into office last year, 101 local authorities were already limiting eligibility to services to those with "substantial" need. Twelve months later, 116 local authorities are using "substantial" need and just six are using "critical" need. It is worth looking behind those headlines, because some councils are changing the eligibility criteria, but they are reinvesting the savings they make from that decision into preventive services, such as telecare and giving people personal budgets. For example, Southwark council has reviewed the needs of people with learning disabilities and is changing its services through the introduction of personal budgets, supported living and providing more control and dignity. It is saving resources, but it is also giving people a better quality of life.

The hon. Member for Newcastle upon Tyne North described the unacceptable quality of care in some care homes and the inquiry that was carried out by a local broadcaster. She is right to describe some of the shocking stories that she has heard and to decry how older people all too often get relegated in the headlines compared with scandals over the care of children. She talked about the Care Quality Commission and the fact that it has changed its inspection model. I respectfully suggest that the basis for the legislation that introduced essential standards and has led to a more risk-based model for inspection was debated in the House not under this Administration, but under the previous one. We have not abandoned the changes the previous Government started or thrown the whole regulatory framework up in the air yet again and caused chaos, as often happened in the past 13 years. We are trying to ensure that that model delivers.

The hon. Member for Newcastle upon Tyne North asked about skills and training. Those issues were also touched on by the hon. Member for Blaydon (Mr Anderson). The Government are working with Skills for Care, which will produce work force, retention and personal assistance strategies to address the sorts of concerns that the hon. Lady and others have mentioned. I will publish those shortly.

Catherine McKinnell: I want to reassert the point that, regardless of the changes put in place during the past 13 years under the previous Administration, we are moving into unprecedented territory in terms of the funding given to local authorities for supporting social care within the community. That is the context in which some of the changes that we are demanding and requesting today need to be considered.

Paul Burstow: I have rehearsed some of the findings from the ADASS survey, which shows that although the changes are tough, they are not as unprecedented as the past 13 years of experience would suggest.

The hon. Member for Blaydon talked about the mixed economy of provision in social care and lamented the passing of a time when a public service offer was the almost exclusive way in which social care was provided. He harked back to a golden age that has passed and that may never have truly existed. I am not certain whether I heard him describe a solution or route map that would get us back to the past that he hankers after. If he has one, perhaps he would share it on another occasion. He also talked about Southern Cross. As a Minister, I am, of course, only too well aware of the issues with which that company is currently grappling. Above all else, I am concerned to safeguard the interests of the residents who live in those homes. That should be on our minds whenever we talk about Southern Cross and its prospects. We need to ensure that we secure its future for its residents.

Mr Anderson: I agree with the Minister entirely. I also agree that the previous Government did by no means get things right for 13 years, which is also true of other previous Governments. My worry is that we are being railroaded by a cuts-led agenda. In the past, we at least had a safety net of council provision, but that will no longer exist. Therefore, when organisations such as Southern Cross go belly up, there will be no one to pick up the pieces.

Paul Burstow: My point is that when we came into office, 101 local authorities were already limiting access to services on the basis of "substantial" need. We should not pretend that some overarching change is now happening.

Let me move briefly to the question of the future, which was also a key part of the debate. I am under no illusion that although the settlement that we secured for social care is good, it is only a bridge and a sticking plaster in terms of the future. The social care system needs radical reconstruction surgery, and its funding needs be seen as what it is—a big issue. My ministerial mailbag shows that it is one of the biggest matters about which people write to their MPs, who in turn write to me. There is a real and understandable grievance out there about paying for social care. People feel shock and bewilderment, and they are appalled by the current system because, after paying taxes all their lives, they have to pay for care. That leaves a bitter taste in the mouths of both those who use the services and, in many cases, their families.

I agree with the hon. Member for Stockton North that we need to change. That is why the Dilnot commission, which this Government established last year, offers us hope and a way forward. It has been asked to consider whether there should be a fair partnership between the state and the citizen. The prize that we could grasp is peace of mind and a sustainable system for the future. I will ensure that the points made by the hon. Member for Wolverhampton North East are passed on to the commission, so that they form part of its considerations. It is not sufficient to reform funding alone, because we also need a modern statute founded on 21st-century principles of self-determination, reciprocity and responsibility. The current law is a mess: it is confusing; it lacks coherence; and it is hard to understand.

Emily Thornberry: On the issue of confusion, the Minister spoke earlier about the King's Fund and said that its view is that cuts will not be made to social care. I have just checked that, and I believe that the King's Fund has said that there will be a shortfall of £1.2 billion by 2014-15.

Paul Burstow: The King's Fund has stated that but, if one reads on, the document concerned states that if efficiencies of 3.5% are made, there is no need for a funding gap to open up.

On social care law reform, our current legislation is the product of 60 years of piecemeal legislation that looks back to 19th-century poor law principles. A Law Commission report makes 76 recommendations and provides a firm foundation on which we can build. The Government intend to publish a White Paper later this year and to introduce a Bill in the second parliamentary Session.

Our intentions are clear. During the life of this Parliament, we want both the law on social care and its funding to be reformed. We want that reform to be based on a vision in which there is a greater personalisation of social services, a more preventive focus on how those services are provided and a real attempt to deliver around outcomes. We want services that are more innovative and that are based around growth, telecare and involving other providers. There also needs to be a partnership between the individual, the state and health and social care providers. That is how we can secure the future of social care and make a real difference for every one of our constituents. I thank the hon. Member for Stockton North for initiating the debate, and I hope that we will have more debates about social care than have taken place during the past 13 years.

Religious Education

10.59 am

Fiona Bruce (Congleton) (Con): I am privileged to raise the role of religious education in schools under your chairmanship, Mr Brady. A number of colleagues have joined me for today's debate; I thank them.

First, may I state that I know that the Secretary of State for Education takes very seriously the issue of enabling every child—whatever their background—to achieve their full potential by promoting the highest quality of educational standards? He is doing a sterling job in that regard and I thank him for that.

I turn specifically to religious education in schools. Hon. Members will all be aware that RE in schools is, and has long been, a compulsory subject. The Government do not intend to change that. That is good. If RE is important enough to be compulsory, why not include it in the English baccalaureate? In late 2010, the Secretary of State announced that the new E-bac certificate will be awarded to students who achieve grades A* to C in English, maths, science, a foreign language and a humanity. Of the humanities, the choice is history or geography. Why not add RE to the humanities choices?

In response to that question, the Secretary of State has answered:

> "because it is already a compulsory subject. One intention of the English baccalaureate is to encourage wider take-up of geography and history in addition to, rather than instead of, compulsory RE."—[*Official Report*, 7 February 2011; Vol. 523, c. 10.]

That sounds laudable, but there are serious concerns that that will produce unintended consequences. Since school league tables will now take into account the percentage of students awarded the certificate, the E-bac is increasingly being emphasised as the primary qualification for 16-year-olds, and the teaching of RE in schools risks being undermined. Indeed, according to new research by the National Association of Teachers of Religious Education, one in three schools, in a survey of nearly 800, say that they will significantly reduce the amount of resources and numbers of teachers dedicated to teaching RE in the approaching academic year. In a recent joint letter published in *The Daily Telegraph*, leading academics revealed that 45% of university teacher training places in RE have been cut. Therefore, non-specialist teachers will be left to teach the subject.

One reason for varying quality in RE provision in the past—less so today—has been the lack of RE teachers who are subject specialists. There has been considerable progress in increasing their numbers, due in part to the popularity of the subject at GCSE and A-level. If that progress is reversed, the overall quality of RE teaching, even as a compulsory subject, could suffer. The status of the E-bac means that, already, fewer pupils are opting to study RE, as discussions that I have had in my constituency have shown.

Why is RE so important that so many people are asking for a reconsideration and for its inclusion as a core E-bac humanities subject? Before I explore that question, I should say that the many people I refer to include 100 MPs, who have signed an early-day motion tabled by my hon. Friend the Member for Eastbourne (Stephen Lloyd), calling for just that. That was doubtless prompted in large part, as I have been myself, by constituents' letters, representations from local schools and a public petition signed by more than 115,000 members of the public. That petition was promoted by the REACT campaign, which stands for putting religious education at the heart of humanities, and it has successfully united religious leaders from a number of faith groups, including Christians, Hindus, Muslims and Sikhs.

Why is RE important? It is important because it is a subject taught distinctly from other humanities subjects. It is quite different from the RE, or scripture, that many of us of a certain age may have studied by learning passages from the Bible by rote. Admittedly, that sometimes produced unintended consequences—some humorous, such as the answer in an exam paper that an RE teacher told me about. In response to the question, "Who was most disappointed at the return of the prodigal son?", a pupil wrote, "the fatted calf".

Today's RE has moved on, as I know from closely looking at the subject with one of my sons, who is a GCSE RE student. Today's RE is not about promoting one religion, but about understanding many and understanding many other aspects of life from a faith perspective. My son tells me that RE includes topics such as environmental issues, discrimination, law and punishment. It also includes an understanding of the cultural and religious values of different peoples and faiths. One sixth former, who recently studied GCSE RE along with total of nine GCSEs, told me:

> "it was the only subject in which I got to discuss current affairs and responses to them."

Mr Edward Leigh (Gainsborough) (Con): Perhaps RE has become so wishy-washy that it is not worth preserving.

Fiona Bruce: I dispute that. My hon. Friend would, I think, respect my view, on which I shall elaborate now.

Religious issues are frequently at the top of any news agenda. Today's RE helps young people make sense of that and wider world affairs. It also promotes community cohesion, as it allows young people, who are growing up in a diverse society, to discuss and understand the views and opinions of people whose beliefs and values differ from their own, in the safety of the classroom environment. One RE student told me:

> "many societies and cultures have strong religious foundations and understanding their methodology and thought was very helpful. I thoroughly enjoyed it."

Enjoyment is key to learning well. We all learn better when we enjoy it, and GCSE RE is popular. In the past 15 years, the number of students taking GCSE RE has quadrupled from 113,000 to approximately 460,000. The Archbishop of Westminster, the Most Reverend Vincent Nichols, has said:

> "In an increasingly confusing world, Religious Studies gives young people perhaps their only opportunity to engage seriously not only with the most profound philosophical questions concerning human existence and the nature of reality, but also with the most fundamental ethical dilemmas of our day".

Where else will our young people obtain that? To put it more grittily, I cite a real life example from a teacher of almost 30 years' standing, who has taught near where I have lived for much of my life. She has been a deputy head teacher with management responsibility for developing spiritual, moral, social and cultural values policy in schools. She recalls:

> "On the day after 9/11, a 12-year-old Muslim girl ran to me in tears saying that she had been taunted, chased and threatened on her way to school. Other pupils and youngsters, many older than her were accusing her of being responsible for the destruction of the twin towers and multiple murders. She was identifiable because of the colour of her skin and she wore a scarf. Up until that day, there was no evidence of…any problem. She had received interest and questioning, but she never experienced hatred. Overnight, the media's coverage and the need to find someone to blame meant that she became a target. She was the only Muslim child in a mostly white school. There had to be an immediate response to identify the main bullies, but for many weeks, through RE, there was specific teaching about Islam and Islamophobia. The outcome was positive, with the girl being accepted and becoming a senior prefect who was respected and valued by others."

Cultural diversity is explored through teaching RE. Pupils are able to share their beliefs, arrange church visits, demonstrate how a turban is worn, demonstrate how others pray, bring in homemade food for festivals and share the meaning of specific rituals. As well as promoting community cohesion and giving young people an insight into their own and other cultures and heritage, RE also supports pupils in articulating moral judgments and dealing with misfortune, death, loss, and issues in their neighbourhoods and workplaces. It prepares them for adult life.

As one teacher told me:

> "good RE teaching can promote positive values for young people and society."

She cited the example of James Delaney, a twelve-year-old boy from a Traveller family, who was murdered in Ellesmere Port in Cheshire. She speaks from a close perspective, with experience of teaching in the boy's area. She said:

> "Traveller children often have strong religious views…however, if they move into communities, there can be hostility…often their children in school…are exposed to bullying in response to what they may hear their parents and other adults saying. Getting pupils to empathise and 'step into the shoes' of a family whose 12-year-old son was murdered…because he was a traveller, proved to be a powerful way of challenging perceptions and wrongly held views, as children should not be held to blame for things their parents do."

RE lessons also develop transferrable skills such as critical analysis, essay structure and general written and verbal language skills. Those benefit other subjects as pupils learn how to express and articulate their views and, equally importantly, to respect those of others. Questioning, reasoning, empathy, philosophy, values and insight are all highly valuable skills fostered within RE learning. One student told me:

> "It focused my thinking on areas of abstract thought, it improved and developed my analytical skills and logical reasoning"—

quite powerful points, in his own words, from a student who has recently studied GCSE RE. Another pupil told me how each essay is commented on according to the qualities of K, U and E——knowledge, understanding and evaluation—which appeared in the margin of all his essays and had to be demonstrated.

Research among 1,000 16 to 23-year-olds has found that 83% felt that RE could promote understanding of different religions and beliefs, while more than half agreed that it had had a positive influence on them. So what would be the negative results, however unintended, of excluding RE from the E-bac as proposed?

Currently, most state secondary schools arrange their timetables with a humanities bloc of geography, history and RE. An experienced teacher told me that

> "under the new system if RE is not part of the E-bacc, I can foresee that schools will no longer want to pay exam fees as it will not be acknowledged in the new targets or E-bacc. Pupils will be forced to study either geography or history and will not have space on their timetable to study a full GCSE in RE. Whilst RE remains a compulsory subject, it will have to be taught, but it will be relegated and in pupils, parents and many teachers' eyes, it will soon become the Cinderella subject it was many years ago."

RE, even as a compulsory subject, might be increasingly merged with PSHE—personal, social and health education—and citizenship at key stage 4, something I understand Ofsted does not appear unduly concerned about. If those subjects are merged, to overcome a timetable or time issue, staff might not be specialist RE teachers, and the more media-focused or sensational topics within PSHE and citizenship might dominate. Scaling back might also affect the post of RE adviser, a role that ensures that appropriate importance is given to the content of the RE syllabus in response to the needs of a local community, taking into account such factors as the numbers of a particular religious or ethnic group.

RE might not be taught or advised on by specialists to the standard of other subjects, and fewer students and teachers might be able to understand and communicate the impact of religion on culture, society and current affairs. Without that guidance, young people might find it more difficult to cope with the more difficult moral, philosophical or cultural challenges that they find today; to form good relationships with others, especially those of a different cultural background; or to maintain secure values and beliefs enabling them to make good rather than bad choices, in particular in early adulthood. It is also argued that without RE, the influence of simplistic or extreme sources of information on religion could increase, at the risk of greater stereotyping and prejudice; a less tolerant society might ensue.

If faith schools continued to prioritise GCSE RE, they might fall down the school league tables. Some schools might even stop offering GCSE RE as a separate subject or course, putting resources into priority E-bac subjects to raise or maintain the school ranking. Students who devoted time to study GCSE RE could be penalised, as it does not qualify as an E-bac subject.

What am I asking the Minister to do? Primarily to protect, support and sustain the increasing improvement of religious education in our schools, ideally by including the GCSE full course on religious studies as one of the humanities choices in the E-bac, in addition to geography and history. Students could be able to opt for any one of them, or, under a changed specification, to take two of the subjects, so that history and geography retained the same status as currently proposed under the E-bac. Whether or not the Minister responds favourably to that request, which, as I mentioned at the outset, has huge public support, RE will remain a compulsory subject for all school students, even if they do not study GCSE RE, so I ask the Minister to consider my next points as well.

It is critical that RE should not be unintentionally downgraded, that the teaching of RE as a compulsory subject, quite separately from the teaching of GCSE RE, should be accorded the priority it merits, and that appropriate signals should be sent out to such effect from the highest level. Will the Minister kindly consider how the Government can ensure that the appropriate resources are applied to the teaching of RE in schools and that an appropriately robust approach is taken

[Fiona Bruce]

regarding the nature of such teaching and of the Ofsted inspections for the provision and quality of RE? That would reaffirm the important role of RE in schools and its vital contribution to the whole school curriculum. It would recognise RE's importance to pupils as a preparation for the character that they will require in adulthood, as well as throughout the whole of a child's school life.

11.16 am

Catherine McKinnell (Newcastle upon Tyne North) (Lab): I am pleased to serve under your chairmanship today, Mr Brady.

I have been contacted by a wide number of constituents, local schools and educationlists who are concerned about the Government decision not to include RE as a humanities subject in the new English baccalaureate, or E-bac. I cannot express those concerns better than by quoting a few of the individuals directly, beginning with a recent communication from Mrs Robson, head teacher of Archbishop Runcie Church of England first school in Gosforth, in my constituency:

> "students qualifying with GCSE full course in RS are young people who demonstrate knowledge and understanding of a variety of contemporary world views and who have demonstrated skills of discernment and evaluation of religious and philosophical issues and arguments, qualities much needed in today's world."

She continued that the consequence of not including RE as a humanities option

> "would be disastrous for many schools and students and for the future expertise required to teach the subject…The unintended consequence of not including GCSE Religious Studies as an option in the E-Bacc is that many schools will cease to offer RE at GCSE altogether; this in turn will have a very negative impact on the number of students taking RE at A-Level, and therefore on the applications for theology and religious studies at degree level. This means that there will be a corresponding decline in candidates for teacher training and so on teacher supply for RE, a subject which is already lacking in specialist teachers."

Alison Miller, head teacher at St Mark's Roman Catholic primary school in Westerhope, expressed her concerns about the Government's decision, stating that it would be a "retrograde step" to exclude RE from the E-bac, in particular in light of

> "the excellent progress that has been made in the teaching of RE at GCSE level over recent years".

I share my constituents' concerns. We seriously lag behind the rest of Europe in our approach to education and our ability, through our schooling, to analyse issues and problems from a deeper philosophical perspective. I am concerned that the decision to exclude RE from the E-bac will reinforce that trend, when a better understanding and respect for different faiths, regardless of one's own faith or practice, would be beneficial.

Mr David Lammy (Tottenham) (Lab): At this particular time in our history, when there is so much conflict still in the world, many teachers and parents believe a spiritual literacy and understanding of religion is hugely important and must continue in Britain. Does my hon. Friend recognise fears that that will be diminished at the local level?

Catherine McKinnell: I agree with my right hon. Friend and thank him for reinforcing that important point. Religious education should not in effect be downgraded in this way, as a good understanding of all religions is essential to a well rounded education.

I wrote to the Secretary of State for Education on behalf of my constituents, urging him to rethink the Government's decision. However, I received a very disappointing response from the Schools Minister, which simply reiterated the position that RE is not to be included because it is already a compulsory subject, "throughout a pupil's schooling". That argument has been demolished by Mrs Robson, the head teacher at Archbishop Runcie school, who pointed out the difference between statutory or core provision of religious education and the option for students to take religious studies as a full course to GCSE level.

The Minister's response simply does not address the concern that his decision will lead to a downgrading of the importance of RE, because achievement in designated E-bac subjects will, understandably, become the overriding concern of schools, pupils and parents. Like me, many of my constituents and people throughout the north-east are dissatisfied with the Minister's responses, and his apparent refusal to reconsider his decision. They include Mrs Pat Wager, head teacher at Sacred Heart Catholic high school in Fenham, which is my old school. She said:

> "RS cannot be excluded from a domain entitled 'Humanity'—RS is the pre-eminent humanity and yet it has no place."

That is dispiriting for Catholic schools, which contribute so much to performance nationally. Whenever a Minister addresses us, we are told how wonderful we are and our exceptional achievements are celebrated, yet we are being treated disdainfully over this matter, which is so important to us.

For all the reasons outlined so articulately and persuasively by Mrs Wager, Mrs Robson, Ms Miller and the many other constituents who have contacted me about this important issue, I urge the Minister to stop or to pause, and to reconsider his decision not to include RE as a humanity in the English baccalaureate. We would all welcome that U-turn.

11.21 am

Tony Baldry (Banbury) (Con): I agree with everything that has been said by my hon. Friend the Member for Congleton (Fiona Bruce) and the hon. Member for Newcastle upon Tyne North (Catherine McKinnell). As at least 12 hon. Friends wish to contribute to the debate, I shall be brief.

I am sure the Minister needs no persuasion of the need for religious education in the syllabus, so I suspect that the issues are essentially practical. I am also sure that the damaging and ongoing domino effect on religious education of being left out of the 2010 E-bac list has been explained to him on many occasions, as has been clearly confirmed by the survey by the National Association of Teachers of Religious Education.

My understanding is that the Minister's concern is a practical issue and not about RE, because he wants to reverse the decline in history and geography, but that should not be done by undermining RE. Perhaps he will consider having at least a two-out-of-three option, which would add only 5% of time to the syllabus and could be easily managed. I hope that when he replies to the debate, he will not dig in but will start by saying that he has heard the mood of the Chamber, and that he will ask his officials to explore a two-out-of-three option, and return to him.

That is all the more important because under the review of the national curriculum, RE is not part of it. There is a distinction between the basic curriculum and the national curriculum. RE is the odd subject out, which does not help. As we move towards a greater number of academies—I think the Government's perception of them is that they should be "independent" schools—we will not see RE written back into primary legislation for academies. If we are not careful, all that will undermine the position of RE.

RE teacher training has been hit by nearly 50% because of schools responding to the change in its position. I appreciate that the Minister is sympathetic regarding the question of RE in the E-bac, but I hope he will be able to square the circle because that is his ministerial task. Only religious education provides students with the opportunity to question and study spiritual and moral beliefs in a spiritual context.

I conclude by sharing with the House what I think is the clear and undisputed view of the Church of England, and which is clearly supported by other Churches. That was made clear to me when I went to the consecration of St Joseph the Worker Roman Catholic church in my constituency on Sunday. The Church of England

> "is deeply concerned at the exclusion of Religious Education from the list of Humanities qualifications that are acceptable for the English Baccalaureate. It is already clear that schools are removing RE from the GCSE options for students as a direct result of this."

I very much hope that my hon. Friend the Minister will listen to the Chamber today, and heed its collective voice.

11.25 am

Siobhain McDonagh (Mitcham and Morden) (Lab): I apologise to the hon. Member for Congleton (Fiona Bruce) for not giving her notice of my desire to contribute to this debate. I am here as a lay person, a practising Catholic and a great friend of Jane Savill, who runs the master's degree course in religious education at the Institute of Education in London.

It strikes me that a poor excuse for excluding religion from the humanities topics in the baccalaureate is that we want to promote geography and history, because that is doing to RE what we did to geography and history. As most people know, when Ofsted comes into a school, it has a whole-school programme approach and will not notice the decline in RE as a topic until it is too late and it is in the same state as history and geography. Knowing that, and understanding the history, why would we want to replicate our current problems?

For me, religious education, far from being wishy-washy, provides an understanding of our place in society and of others' views in society. In my suburban south London constituency, many people are new to our area and have different faiths, values and attitudes, and the study of religious education is important for our understanding not only of other people's views, but of our own place in the world. Sometimes, the religious education that young people receive outside the classroom may be a cause for concern, and for radicalism, but that may be challenged in schools in an environment where people feel safe to challenge the views of others.

I implore the Minister to look at the matter again. What big society topic can be greater than religious education? It is a subject that makes us understand the basis of our constitution, society, history and values. If we want people to look outwards, to see their place in the world and to show responsibility towards others, religious education is the very basis of that action and those values. When people ask me why I joined the Labour party and why I became an MP, it is often difficult to answer because there are so many reasons for all of us. My faith is part of the basis of that, not because I am as understanding of my faith intellectually as some hon. Members on the Government Benches, but because I am a cradle Catholic and understand my values through my education.

I suggest that the problem for religious education will not be in the Catholic schools, because they will continue to have a core understanding that the teaching of religious education is imperative to pupils' development. It is other schools that may have a significant problem, and I ask the Minister to think about that, because of the topic's academic value, its value to individual development and its benefit to wider society in understanding not only our own history but others'.

11.28 am

John Pugh (Southport) (LD): I congratulate the hon. Member for Congleton (Fiona Bruce) on her debate. Obviously, hon. Members are speaking with considerable passion. I acknowledge that, of a number of things I have done in life for which I am barely qualified and have no genuine talent, one has been teaching RE. I taught it for quite a long time to bright adolescent boys, so I know a little about the matter.

Religious education is not an attempt to make people religious, and that must be clearly stated. It is not an attempt to instruct people on what they should believe. Religious education and religion are misunderstood and widely misrepresented.

It seems to me that a person adopts a religion because that provides a framework within which they try to understand their existence; they abandon that religion if and when it fails to provide that meaningful framework. A religion or faith is tested as one's existence is played out day by day—religion is caught, not taught. Some people get by without using any traditional religious concepts to clarify their life and existence, and such people are called secularists. Most hon. Members present in the Chamber appear to be religious, but in general, people who are not religious are frankly indifferent to those who are. There are, however, an increasing number of angry and aggressive secularists who are filled with what can be described only as missionary zeal to ensure that people are as unreligious as possible. Some people make no attempt to apply a framework to their existence and live an unreflective life.

Within our existence we do a range of things—we study science and history, make moral decisions, listen to music. We join political parties, fall in and out of love, make speeches in Westminster Hall, get ourselves elected and so on. Those things are part of our existence, but they do not entail a particular view of what existence is about. We struggle; we sometimes wonder what we are all doing here. Happily or unhappily, most cultures have a particular view of how we should understand our existence. We call those views religions, and in a sense they come from the groundwork carried out by our forebears. The merits, strength and weaknesses of religions are discovered by those who adopt and try to live out such explanations for their existence.

[John Pugh]

We cannot teach a religion in a classroom, but we can teach about it and that is what religious education involves. RE may include a number of elements such as the history of religion to explain what people of a particular religion have done, how that religion began, how it spread and so on. The sociology behind religion may be taught to identify a religion's social effects and the factors that influenced its growth. There may be elements of psychology in identifying traits that may—or may not—incline one towards a particular religion, and the effects of religious belief on a person. RE is not philosophy; its principal job is to clarify how religions, which exist all around us, endeavour to explain our existence and how adherents of a religion live their lives and are likely to act.

Religious education has historically been taught in a narrow way that simply explained the Christian framework. More recently we have had more of a Cook's tour approach—I am sure that would disgust the hon. Member for Gainsborough (Mr Leigh)—and a whole range of religions are covered with a fairly light-touch approach. It is a hard subject to teach in a totally fair and scrupulous way.

Only once we understand how people view their lives will we know how to engage with them properly, which, I suggest, is what life is about. Therefore, understanding people's religions is at least as important as understanding their history or geography. Arguably, it is more important than knowing about one's own past or locale, although there is considerable benefit in understanding one's culture, background and habitation. History, geography and religious education are all equally important subjects, and there is no convincing case for excluding one and including the others in the English baccalaureate. The reason given by the Secretary of State is that RE is a compulsory subject under law, but the grounds for that curious legal status are obscure and not explained. It is not clear—it seems a straight non-sequitur—why making a subject compulsory in the syllabus means that it does not need to be optional and given more intensive study in the baccalaureate. The blessings of compulsory status are mixed. In the average British school, subjects with compulsory status are often ignored or not explained, and even good schools feel licensed to provide minimal or poor-quality teaching, simply to comply with the law. The compulsory status of RE in this country has done little to stimulate genuine religious belief or interest. In the United States, where teaching religion in schools is absolutely forbidden, church attendance is higher and there are greater levels of belief.

Jim Shannon (Strangford) (DUP): Given the decline in attendance at church services across the United Kingdom and particularly in England, is there not a greater need for religious education and study in schools, so that the benefits of that will be felt by those families who do not have the chance to attend church on Sunday?

John Pugh: Given that people do not necessarily have an adequate understanding of what religions represent and involve, there is a case for teaching more about them in schools. I will go that far, but one cannot argue that it is the job of schools to make the nation religious. RE was made compulsory in schools due to a Victorian belief that an irreligious proletariat would be difficult to handle.

Whether or not RE is legally compulsory should not affect its inclusion as a humanities subject in the baccalaureate. The most interesting thing about humanity—we are discussing humanities—is not that we live, breathe, procreate and die, but that we seek to grasp what our existence is about and live accordingly. We are all religious in some sense or other. To make RE a statutory obligation risks diminishing its status, narrowing its scope and lessening its quality. It is a poor argument to suggest that, just because a subject is compulsory in one context, it cannot be optional in another.

11.36 am

Chris Bryant (Rhondda) (Lab): I apologise for arriving late, Mr Brady, and I shall not delay hon. Members for long. I congratulate the hon. Member for Congleton (Fiona Bruce) on securing this debate. I hope that the hon. Member for Southport (John Pugh) will not mind my saying this, but he gave the driest version of what religious education might involve that I have ever heard. His speech included a lot of sentences that could have ended with the word "discuss" in an essay title.

I have four brief points. Unlike my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), I am not a layperson. I was ordained in 1986 in the Church of England, and that remains with me although I resigned my orders prior to entering the House. I believe strongly that the most important place where people catch faith—to use the words of the hon. Member for Southport—is in the home; the best faith education happens in the home, in a family setting.

Last night, however, I sat next to a woman who told me that although she was a strong member of her local United Reform church, and in her words a very liberal Christian, one of her sons is now an ardent evangelical who believes that she will be going into the fiery pit, and her other son is a militant atheist. None the less, she felt that she had done a good job of religious education in the home.

The question of RE in schools is vital. The subject is not an add-on; it is essential to understanding so many other subjects. Few works of English literature—apart, perhaps, from that written in the past 20 years—can be properly understood without an understanding of Christianity. It is difficult to understand many modern British novels without knowing something about Islam. Most British music—indeed, most European music from the past 800 years—is dominated by religious themes. How can one understand the history of Parliament without some reference to the religious debates that started with rows about the Lollards and went through to the disestablishment of the Church in Wales in the early 20th century?

If we wish to respond to some of the challenges of militant religion, we should perhaps be better at discussing religion in the main Chamber. Some elements of geography cannot be understood without a knowledge of religion. The relationship of Istanbul—once Constantinople—with Europe cannot be understood as a geographical entity without consideration of the religious aspect. Few modern languages do not require an understanding of religion.

Dan Rogerson (North Cornwall) (LD): The hon. Gentleman is making an excellent speech. Does he agree that without an understanding of religion, we are left only with labels, which is a huge problem for society?

Chris Bryant: I was coming to that point. However, before I do, I want to say as an article of faith—and I am not a fundamentalist, either in religion or politics—that I think spirituality is a river that one cannot dam. There are hundreds of different forms of spirituality, but any education worth its salt in this country needs to give young people an opportunity to understand and develop that spirituality, so that it is fully grown and mature, not naive.

The hon. Member for Congleton referred to "a tolerant society". I hate that term. I do not want to live in a tolerant society, because it smells of people saying, "I am prepared to put up with you." I would much prefer to live in a respectful society. If anything, the danger of the liberal—small "l"—Britain of the past 100 years is that we have been tolerant of other religions, but never learned enough about them to be truly respectful.

In addition, we have never learned enough about Islam, or any other religion, to be able to challenge bad religion. Heaven knows, there is plenty of bad religion in society today. It is not just the British attitude that one cannot possibly talk about politics or religion at a dinner party; it is that all too often we are fundamentally ignorant about the basis of most religions. I would include in that the fact that many young people are extremely ignorant about Christianity.

My experience of Catholic teaching in many Catholic schools is that sometimes it is good and sometimes it is appalling. There is one thing that I particularly dislike: I have heard Catholic teachers refer to "Christians and Catholics", as if non-Catholics were not Christians. I always believed the word Catholic to extend beyond. I hope all that has moved on, but I think that in some cases it has not.

I want to refer to one final matter. I happen, bizarrely, to be an external adviser on the Oxford theology degree. One of my concerns is that the number of people applying to do theology at university is dwindling. In part, that may be due to social issues, but it may also be due to the respect with which religious education is treated in the curriculum in England, Wales and Scotland. I wish it would be accorded further respect, not least because the big danger is that otherwise the courses will end up just being vocational. In other words, somebody training to be a priest goes to read theology at university and is merely trained in that narrow, prescriptive way, and does not learn about other religions or extend the course. That is a vicious circle because fewer people who have an interest in religion itself, rather than a desire to go for ordination, will take it forward.

I wholly agree with what the hon. Member for Congleton said, and I congratulate her. I hope that the Minister will be able to reassure us about the value that he places on religious education in schools.

11.42 am

Mrs Anne Main (St Albans) (Con): I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing the debate. I am mindful that many Members wish to speak. I would like to say that, although many of us have a religious persuasion, the issue is not about "God squad" people wishing to keep God in schools. I had a very interesting discussion with Juliette Lyle, deputy director of the National Association of Teachers of Religious Education. She came to speak to me, as a teacher in St Albans schools. We agreed that this taxing and pressing subject ought to be considered by people of faith and no faith.

"Religious education" is a misnomer, and that worries me. It is like calling maths, "sums"; it diminishes the subject. Some of the great studies throughout recorded history have been theological. Some of our greatest and most beautiful pieces of writing have come through the theological route. To diminish it by calling it "RE, and everybody does it" takes away the rigour of its study.

People have also queried its use and the good of studying it. As the hon. Member for Rhondda (Chris Bryant) said, it could be vocational. I could also question the good of some complex mathematical theorems that one might have studied at 14 or 15. I used to be a teacher and, as a Member of Parliament, I have found my religious education O-level to be of far more use than the maths that I was pretty rubbish at. If nothing else, it has helped me to understand some of the faiths and backgrounds of people I serve in my community. My constituency is a proud cathedral city, but also has a 10% ethnic minority community, the largest of which is Bangladeshi. For all of us, even if we take it no further as a rigorous study, RE helps us in our lives to understand other people. That point has been well made today.

I hotly disagree with the opinion that the subject is wishy-washy. If it is wishy-washy in some schools, some rigour ought to be put back into it. By leaving it out of the baccalaureate as an option, we are continuing to give it a "sums" title of study. We should be saying that the subject is one of the pinnacles of university study, but it is increasingly not a university course of choice. With that comes the shuttered approach that we get in many of our town centres. Once a town centre is diminished, once there are no longer shops that people go to, people stop going there. If we do not give the subject the place that it truly deserves within the curriculum, as a rigorous option among the humanities courses, people will stop choosing it. Young people will stop seeing it as something worth doing, parents will not encourage them to do it and it will die a slow death.

Mindful that many others are speaking today, I would like to say that I supported the early-day motion and I also wrote to the Minister. I urge the Minister to listen to our voices. It is not just because people want to see us doing religion in schools. Religion, as many have said, is something that one catches or may never catch, and having it is not easy. This is about a rigorous approach, about testing values. Should we bar people from wearing religious symbols? Should we legislate for that as they do in France? Do we condemn the sectarian attacks on goalkeepers because some teams are seen as having a particular religious persuasion? Do we look at some great pieces of literature and say that the roots are echoed in modern literature? As other hon. Members have said, people might not even understand the literature without understanding the references. There are many aspects of the subject that could be studied intensely, which would contribute enormously to a young person's education and life skills.

[Mrs Anne Main]

The claim that there is a logistical problem should not prevent RE from being an option in the baccalaureate. I urge the Minister to consider a way round that, so that schools that wish to approach the subject in the rigorous way that I would like have the option of doing so. To say that the subject is done all through the school year diminishes it and is used as a reason not to include it. I would rather it were not made a legal requirement in schools, if that means it is then excluded. Most schools, particularly faith schools, would teach it anyway.

If one can opt out of religious studies, we have more of an argument for removing that legal protection, rather than using it as an excuse to exclude it from the baccalaureate. There is strong support in the country to see this subject as an option. I urge the Minister to listen to that support.

11.48 am

Mr David Burrowes (Enfield, Southgate) (Con): I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing such an important debate. As has already been noted, it is not actually a religious debate. It is also not just about a religious lobby wanting to fight its own corner; I always think that God is big enough to fight his own corner, on this issue as well as others. Nor is the debate about imparting faith. As the hon. Member for Rhondda (Chris Bryant) said, the best place for that is often the home.

This is a debate about humanities. The Government are keen, quite properly, to ensure that we return the rigour and the study in humanities, especially given the declining numbers studying geography. This is an issue of humanities, geography, history and culture. Religion, particularly Christianity, has shaped our buildings—not just the building we walk in, but those all around. Religion has shaped literature in our libraries, paintings in our galleries and relationships with our neighbours. The debate has looked beyond the classroom, and that is right.

However, we need to recognise what has been going on in our classrooms. There is a freeze on consultants, so I would like to help the Minister with a SWOT analysis—strengths, weaknesses, opportunities and threats. First, there are the strengths that one sees around in relation to religious education. Yes, there has been an increase in provision and quality since the mid-1990s. RE is also much more popular. Gone is the caricature of RE lessons as simply being the soft option, where pupils can have an easy ride, go to sleep or cause trouble for the teacher. There is now properly recognised specialist training for RE, and that is reflected in the fact that four times as many students take it up at A-level than was the case 15 years ago.

The statutory curriculum is a strength, and we need to look at it in more detail. In that respect, there is leadership from the Minister and the Secretary of State—including in communications that I have received, which have been more positive than hon. Members have suggested. In them, there has been a commitment to the importance of religious education and to continuing to safeguard its position in the curriculum. They have also made it clear that there are no plans to change the current legal requirement for a daily act of collective worship.

Another strength, which has not been mentioned, is standing advisory councils for religious education at the local level. Local agreed syllabus conferences provide good-quality religious education, and one fine example is Birmingham, where people are being brought together to determine what is best for their community.

However, there are weaknesses, which we need to recognise. Despite a legacy of improvements, we face a difficult time, even leaving aside the concerns about the E-bac. Last year's Ofsted report "Transforming religious education"—it did not receive a response from the previous Government, and I question whether there will be a formal response from this Government—recognised that there was a lack of systemic monitoring by Ofsted of statutory compliance. It also recognised the inadequacy of professional development and the fact that the quality of religious education is still patchy. That was particularly true—this is the key point—where teachers were non-specialists and there were short GCSE courses. The concern is whether that weakness will predominate around the country with the result that the strengths that have been built up over the years are lost.

However, there are opportunities, as I have mentioned. The Government are quite properly committed to local determination as regards religious education. I could also mention this debate, the 115,000 people who have signed petitions and the people who have lobbied us. It is important to harness that debate and interest to ensure that communities fight the corner of religious education locally so that it is in our schools. We must also ensure that funding streams continue for the religious education advisers who are under threat. There is also greater freedom in the curriculum, and that, too, provides opportunities.

The threats involved in RE's not being part of the E-bac have been mentioned, and I will not repeat them.

Mr Lammy: I am not sure whether the hon. Gentleman mentioned the British Humanist Association, but does he recognise that although we would not generally agree with some of the things that it says, it is also concerned about the loss of religious education in our schools? The association believes that it is important for people who are not of faith—atheists or agnostics—to understand religious views and to hear them put across in schools.

Mr Burrowes: I do indeed recognise that. Many associations take part in the local agreed syllabus conferences.

The rebuttal to the concerns about RE's not being part of the E-bac is that schools still have the time in their curriculums to allow pupils to take RE as a GCSE option. I see that as an option for pupils at successful schools, which have the necessary capacity and time, but it may not be an option for less successful schools and for pupils who are more challenging, who will inevitably go for just the core requirements in the curriculum. The unintended consequence of such an approach could be that RE is not taken up as an option. The concern then is that we would go back to having a lack of specialist RE teachers.

There is a concern that the freedoms set out in the funding agreements for academies and free schools may entail a lower take-up of RE in some areas. There is also a concern that the current statutory requirement is not being followed through to implementation. As has been said, where is the true rigour in inspections? The limited focus on maintaining the statutory requirement in future inspections may have a negative effect on the curriculum. I recognise that the national curriculum review does not include religious education, but one should not ignore the crossover and the links between the basic curriculum and the national curriculum in terms of the whole life of a school and exam options.

In conclusion, I ask the Minister to walk carefully and cautiously in considering the possible impact of not having RE as part of the E-bac. I ask him to recognise the strength of the crucial argument that if RE is important enough to be required by law, it is important enough for us to include it as an exam subject in the English baccalaureate. That would be just one simple and practical way of acknowledging the importance of religious literacy and a proper understanding of our humanity.

11.55 am

Stephen Lloyd (Eastbourne) (LD): I appreciate your giving me the opportunity to speak, Mr Brady. I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on arranging this important debate.

I welcome the Department's dialogue with universities to ascertain which GCSEs will give young people the best chance to get into the best universities. I have supported the E-bac for many years, so I am greatly encouraged that the coalition Government are moving forward with it. However, I have obvious concerns about the fact that the humanities exclude RE, so let me say a little about the importance of RE, which all my colleagues have dealt with very well.

In simple terms, there are so many different messages for our young people in the modern world that the very idea of their not receiving education from experienced RE teachers fills me with horror. There are so many dysfunctional messages out there that if young people do not have the opportunity to hear about religion in the round from experienced teachers, they will, as sure as night follows day, be more prone to taking up some of the more dangerous, outrageous and cruel messages about aspects of religion, which would do them a disservice. I therefore urge the Minister to think carefully about this.

On some more specific points, I was privileged to sponsor early-day motion 1375, and I am absolutely delighted that more than 100 Members from all parties in the House have supported it and signed it, just as many tens of thousands of members of the public have signed petitions. Indeed, if I could wave a magic wand and explain the importance of RE in schools to all 60 million-plus people in this country, No. 10 Downing street would have a petition with about 30 million signatures.

The Minister and the Department recognise that this is an issue of serious and profound concern for many people. Given that the Minister is with us today, however, I want to ask for a number of commitments. First, there is no getting away from the fact that not making RE an option in the humanities section of the E-bac will lead to reductions in RE-trained and experienced staff; in fact, I am already receiving anecdotal evidence that that is happening. What is the Minister doing to ensure that that possible trend is halted? I fear that the redundancies that will inevitably come from the Department's proposed changes will lead to a fall in standards, less focus on RE as part of a compulsory key stage 4 curriculum and, importantly, a lack of trained resource for the future, which our children and schools will ultimately regret deeply—I certainly would, and all my colleagues in the Chamber would, too.

Secondly, when the Minister speaks at the end—I am not trying to read his mind, but I have been in constant discussion with his Department, so I am pretty sure that this is accurate—he will state that RE does not need to be included as an option in the E-bac because it is a compulsory part of the key stage 4 curriculum, but that is not the case for academies. Will he therefore clarify the situation on academies and tell us what he will do about the fact that take-up in academies is—I have heard this anecdotally—beginning to decline? That is even more relevant when we consider that academies are far more prevalent in areas where there is more deprivation and where children grow up in a range of different religions. In a way, that makes it even more important that academies have the trained, experienced RE teachers to teach children in a balanced way.

Thirdly, I suspect that the Minister will state that the number of students studying RE has risen from 16% in 1995 to 28% in 2010 and that the take-up of history and geography has declined over that period. I agree with him and accept that that is an issue. I welcome the E-Bac, but does the Minister accept not only that the increased take-up of RE is a good thing, but that excluding it from the E-bac will perhaps lead to an even more dramatic decline in take-up than geography has experienced over the past 16 years—from 45% to 26%? What will he do to address that? I would like him to commit to revisiting and reviewing the role of RE, should take-up decline.

[Dr William McCrea *in the Chair*]

Essentially, I and many of my colleagues—on both sides of the House, and of all beliefs and none—along with hundreds of thousands of members of the public, profoundly believe that the changes could lead to a diminution for our children of RE teaching by trained and experienced teachers. I urge the Minister to reconsider the Department's direction of travel, to listen to us and to the public, and to not do a U-turn but change his mind as the facts change.

12.1 pm

Martin Vickers (Cleethorpes) (Con): I join colleagues in congratulating my hon. Friend the Member for Congleton (Fiona Bruce) on securing the debate. I suspect that this is one of those subjects on which, as Kipling said,

> "never the twain shall meet".

Those who regard religious teaching in our schools, or any religious instruction, as brainwashing will not be convinced otherwise, and, yes, those who passionately favour the continuation of RE lessons as an essential part of our young people's education tend to feel equally passionate.

I am a Christian and, although I favour the continuation of RE teaching in our schools, I hope that I have been able to step back and look objectively at the arguments on both sides. I agree with my hon. Friend when she

[Martin Vickers]

stresses how important it is that RE not be downgraded, to use her phrase. The argument is not about the continuation of "brainwashing", but about providing an essential background to our culture and identity as a nation. Our history centres around monarchy, Parliament and Church, and although all those institutions have passed through turbulent times, they have, in the end, brought stability and the freedom to enjoy the benefits of religion—or, indeed, the freedom not to practise any faith.

Like many children of the 1950s, I attended Sunday school until I was of an age when my father, who regularly attended that most beautiful of Anglican services, evensong, decided that I, too, was old enough to go with him and appreciate it. Of course, at that time there was a daily assembly in school. I realise that there are many difficulties in delivering such an assembly nowadays, but many of our schools quite simply do not try hard enough—where there is a will, there is indeed a way.

Children who miss out on adequate RE lessons as part of their schooling miss out not only on the opportunity to learn the benefits that faith can bring to an individual and how faith can inspire, but on the opportunity of the shared experience that our churches bring when our communities celebrate the rites of passage or an occasion of thanksgiving. Until two or three years ago, I served for five years as a churchwarden, and it was a privilege to be on duty at, for example, a baptism; but I was always saddened by the fact that many people were not fully able to share the whole experience because they could not recite the Lord's prayer or understand many of the symbols and traditions that are instinctive to my generation.

It is good that some of our other organisations cater for young people to some extent and fill the gap, on some occasions, that schools have left. On Sunday, I attended Grimsby minster for the somewhat delayed annual St George's day service of the Grimsby and Cleethorpes scout association. There were a few hundred young people parading and saluting their flag, promising to serve God, Queen and country and to help their fellow men and women, and all in the setting of an act of collective worship and thanksgiving.

Our country is the poorer in that, nowadays, we provide our young people with little opportunity to take part in collective worship and to learn the basic teachings of our major religions; love, respect and tolerance are at their heart and we should treasure those teachings. I readily admit that it is possible to value those precepts and to pass them on to future generations without a faith, but those generations will miss the opportunity to learn about religions and to weigh up for themselves whether to accept their teachings.

The then head teacher at my daughter's junior school, David Thomas, when questioned at a parents' evening on the role of RE, said that its role in his school was to bring the pupils to the "threshold of belief". That phrase has stuck with me; it is valuable and the ideal at which schools should aim. It saddens me that at times there seems to be an acceptance—certainly among some mainstream Christian Churches—that it is all a little too difficult and we must be even-handed, but if the will exists, we can ensure that the valuable tradition of RE in our schools continues.

My hon. Friend the Member for Southport (John Pugh) spoke earlier about a general indifference to RE among people. To some extent that is correct. People are not constantly thinking about it as they go about their daily business, but we should not assume that the great majority of British people are quite that indifferent to it. Only a few weeks ago, someone approached me—ironically enough, as I left a Grimsby Town football match. He had obviously been idling away his time looking at the Parliament website and had spotted that I supported an early-day motion on RE in schools. He congratulated me and said, "I am sure the people are behind you", which was encouraging and important.

RE in our schools is vital if we are to make people aware of faith and to contribute to the rounded development of our young people, so that they can appreciate our rich cultural history. I hope the Minister will give a robust defence of RE in our schools and, as my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) said, ensure that the resources for it will be available. I hope the Minister will reassure me that the Government will play their full part; that is particularly important, given what has been said on academies. North East Lincolnshire local education authority has been a trailblazer for academies, so it is particularly important that the role of RE in those schools be maintained. I apologise to the Minister: I will have to slip out a few minutes before the end of his summing-up speech, but tomorrow I will eagerly read what he has said in *Hansard*.

Several hon. Members *rose*—

Dr William McCrea (in the Chair): Order. There are still a number of people who want to speak, and I am sorry but we will not be able to fit everyone in. I intend to call the Front-Bench spokesmen at about 10 past 12.

12.7 pm

Mr Edward Leigh (Gainsborough) (Con): It has been an interesting debate and I hope that I will not, as so often happens, be the grit in the oyster. I value religion as much as anybody in the House—I have written a book on the decline of religion and how it affects society—but I believe that we owe the Minister a careful hearing, because the whole point of the E-bac is to bring rigor back into academic education. I support RE more than anybody, but too many schools have climbed up the league tables by, frankly, cheating by providing Mickey Mouse courses. I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on performing a great service with this debate. I have a son at the London Oratory, which is a Catholic school, and I value that fact. It will do very well out of the E-bac, because a rigorous academic school, which will continue to promote faith studies, will benefit in the league tables by concentrating on rigorous academic subjects such as maths and English.

I intervened on my hon. Friend earlier because those of us who support RE must argue based on what it is. Has it been so degraded in how it is taught that it is no longer an academic subject? Of course we should support other religions and value people of other religions—that goes without saying—but my hon. Friend the Member for St Albans (Mrs Main) says that we need to understand and to debate whether it is right for people to wear the burqa or the cross. That is fine as a subject of public debate, but should it be part of a rigorous academic subject?

Mr Lammy: I generally agree with the hon. Gentleman on these matters, but is he suggesting that Shakespeare is of more value than the Koran or the Bible?

Mr Leigh: No, I am not. I am saying that a close study of the Talmud is as valuable and rigorous, and in my view as academic, as a close study of the Koran or the Christian Bible.

If we are to restore religious education as an academic subject, we may have to restore it as an academic study. Otherwise, it will continue to be an easy cop-out. One cannot defend an academic subject on the ground of good citizenship—we should all be good citizens, we should all value other people and we should all be kind and nice to others, but that is not an academic subject.

I hope the Minister will assure us that the exclusion of religious education is not a prejudice against religion. I am sure he will want to assure us about academies, which is an important point. However, I hope that he will also give a hint to those of us who organise religious education—there is no point in denying that it was a bad Ofsted report—that it has to return to its history as a rigorous academic subject.

12.11 pm

Kevin Brennan (Cardiff West) (Lab): I congratulate the hon. Member for Congleton (Fiona Bruce) on securing this debate, which has been most interesting. The hon. Lady acknowledged the considerable progress on religious education that was made under the previous Government; as she has said, the numbers have quadrupled. She made an extremely thoughtful speech on the teaching of religious education, with particular emphasis on the E-bac.

I congratulate my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) on her speech. I also congratulate her on getting a timely reply to her letter from the Secretary of State for Education, which is a rare thing. The hon. Member for Banbury (Tony Baldry) called for a two-out-of-three option on the E-bac. It will be interesting to hear the Minister's response.

My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) made a passionate speech about her Catholic religious background. As ever, the hon. Member for Southport (John Pugh) was donnish and scholarly in his observations. He seemed to be putting forward a case for the compulsory teaching of philosophy rather than of religion.

My hon. Friend the Member for Rhondda (Chris Bryant) reminded us that the Church is disestablished in Wales, but he admirably resisted the temptation to use the word "antidisestablishmentarianism", which showed a great deal of restraint, which I do not possess. My hon. Friend preached respect rather than tolerance, which is an interesting distinction.

The hon. Member for St Albans (Mrs Main), a former teacher, spoke with passion. Incidentally, my school—St Alban's RC comprehensive school at Pontypool—is obviously named after the same martyr as her city. The hon. Member for Enfield, Southgate (Mr Burrowes) acknowledged the progress made under the previous Labour Government, saying that four times as many are now studying RE at A-level. The hon. Member for Eastbourne (Stephen Lloyd) urged the Minister to repent on the matter of E-bac. The hon. Member for Cleethorpes (Martin Vickers) is obviously a man of great faith; he must be to support Grimsby Town football club.

Finally, the hon. Member for Gainsborough (Mr Leigh) accused schools of cheating. It was slightly over the top, even for him, to say of schools that enter pupils for exams that are available and properly set out by the examination boards that they are cheating. I would be interested to know which schools in his constituency he thinks are cheats, and which teachers and head teachers. I am sure that he will list them all later.

It is right for me to say something about what the previous Government did to improve RE teaching in our schools. We invested £1 million in an RE action plan during our last three years. We wanted to improve the quality of teaching and learning of religious education, with revised guidance and a review of resources, support and materials for teachers. We wanted to strengthen the role of RE in the curriculum, and we worked closely with the key stakeholders to deliver that plan. The previous Government, like this Government, were supportive of religious education being taught in our schools, and we were supportive of it being broadly Christian in character. However, it is extremely important that pupils should be taught about different religions, not least in the multi-faith world which we live in and which is reflected in so many of our constituencies.

The previous Labour Government were right to do that, and I do not think that there has been any particular deliberate change in emphasis by the present Government. However, a number of Members spoke about the impact of the English baccalaureate on the teaching of RE. That policy comes under the famous "nudge" theory. I have said it before, and I shall say it again, but if we nudge people with a loaded gun the consequences are obvious. The consequence of the loaded gun of the English baccalaureate for the teaching of RE in schools is becoming clear.

I wonder what the Secretary of State thought would happen to the teaching of RE when he announced the English baccalaureate. It was done in a rush, without consultation and without deep thought being given to it. Was he emphasising the importance of teaching the core academic subjects? Was he setting his own exam test that he could not fail? He knows that in a few years' time the impact of nudging people in that way—of saying that schools will be judged on how they do in the E-bac—would be a rush, a diversion, of schools' resources into the teaching of those subjects. The inevitable consequence, which he desires, is that he would be able to say at the end of his parliamentary term, "I have succeeded, because more people are studying the subjects that I have decided are important."

What will be the consequences for RE? As the hon. Member for St Albans has said, *The Times Educational Supplement* of 4 February 2011 published a survey by the National Association of Teachers of Religious Education, which had gathered 800 responses from state and independent schools. It was reported that the survey had

> "found planned cuts to both short and full-course GCSEs in religious studies from this September. In some cases schools are reported to be ignoring their statutory duty to offer RE at all."

[Kevin Brennan]

That was the result of the rushed and ill-considered introduction of the English baccalaureate by the Secretary of State.

Andrew Percy (Brigg and Goole) (Con) *rose*—

Kevin Brennan: Because the hon. Gentleman did not speak earlier, I shall give way.

Andrew Percy: The hon. Gentleman is entirely correct. For the last two decades we have seen that schools will always teach to whatever they are measured on. The real risk of the English baccalaureate being drawn so narrowly is as the hon. Gentleman says. It is happening in my constituency; head teachers tell me that they are doing exactly that—rushing resources to the subjects that contribute to the E-bac to the detriment of all other subjects.

Kevin Brennan: The hon. Gentleman, like me, is an ex-teacher and speaks from experience. He knows the impact of directives, missives or advice from the Department for Education.

The Times Educational Supplement of 13 May—last Friday—stated in its magazine:

> "Even though RE is a statutory subject, the National Association of Teachers of Religious Education...has warned that some headteachers are allocating less, or no, time to RE. A poll of nearly 800 schools in January found that 30 per cent have cut time for RE. With less time devoted to their subject, and potentially fewer pupils and funding, there are fears about job losses in non-EBac subjects."

That, of course, includes RE. The article then states:

> "With RE, the DfE argues that because it is a statutory subject, it will be protected. In the past, Mr Gove has said that 'high-quality religious education is a characteristic of the very best schools; faith schools and non-faith schools'. But the RE community is not convinced. Mike Castelli, who sits on the RE Council of England and Wales and is principal lecturer in education at Roehampton University, is under no illusions that the statutory nature of the subject will protect its importance in school. 'What secured it was Ofsted inspections, but Ofsted now doesn't report on the curriculum in detail,' he says. 'Therefore there's no comeback to headteachers who decide they don't want to put RE on at GCSE level. The fact that RE is statutory is not doing what the Government thinks it is doing."

I could go on, but there is not enough time. I say to the Schools Minister that the situation is the result of ill-considered, non-evidence-based policy being introduced without consultation. The Government should drop this approach to making education policy. The Minister is not malevolent, but misguided. He will have to do a U-turn, and he is lucky that he will have to do it with regard to RE, because he knows that, in this case, for sinners redemption is available.

12.20 pm

The Minister of State, Department for Education (Mr Nick Gibb): I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing this debate and on her opening speech, which set out the argument extremely well. This issue has engendered a large volume of correspondence from hon. Members and the Churches. We believe that religious education is an important subject. In fact, it is the only subject that has been a compulsory part of the school curriculum since 1944. The Education Reform Act 1988 made religious education a fundamental part of the basic curriculum, as opposed to the national curriculum, in all maintained schools. Its unique status signifies the special position that religious education holds in reflecting the traditions and beliefs that underpin contemporary society.

RE is central to the aim of the school curriculum, which is to promote the spiritual, moral and cultural development of children and young people and to help prepare them for the responsibilities and experiences of adult life.

My hon. Friend the Member for Southport (John Pugh) appeared to be proposing the ending of compulsory RE in the curriculum, which is an argument that we will resist. As a Government, we are committed to retaining RE as a compulsory subject to the age of 16, notwithstanding the increasing volume of the secular lobby. Unlike the previous Government, this Administration are committed to faith schools. We value the enormous contribution that they make to our education system, which my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) has acknowledged.

I agree with the hon. Member for Mitcham and Morden (Siobhain McDonagh), who said that RE helps to promote community cohesion. RE, as part of a broad and balanced curriculum, should be relevant to all pupils' background and beliefs. Crucially, the content of the RE syllabus is determined by the locally agreed syllabus conferences, which are appointed by the local standing advisory councils for religious education. Those councils know their communities and understand their needs. It is important that they have the freedom to design an RE curriculum that is relevant and valued by their community.

Less prescription in the curriculum will achieve better teaching. It will enable teachers to do what only they can, which is to engage and inspire their pupils. The national curriculum review aims to prescribe only the essential knowledge and concepts that children should know and be taught, and to leave the professionals to determine how to teach them. We must get away from the mentality that says that, just because a topic or subject is important, it has to be specified in the national curriculum. Moreover, just because something is not in the national curriculum does not mean that it is not important. That same principle applies to what is or is not incorporated into the English baccalaureate.

RE has a locally developed syllabus, which is based on the minimum prescription established in law, and we do not intend to change that. We want schools to have greater freedom because central prescription and the uniformity that it implies do not necessarily produce the best outcomes.

I can assure my hon. Friends the Members for Eastbourne (Stephen Lloyd) and for Cleethorpes (Martin Vickers) that academies and free schools are required to teach RE as a condition of their funding agreement, which reflects the importance that the Government attach to the subject.

Mrs Main: How would it be read if the humanities and geography were dropped out of the baccalaureate? I am sure that people would think that they were being devalued or downgraded.

Mr Gibb: I will come on to why we have included history and geography in a moment, which relates to significant drops in the proportion of the cohort taking both history and geography.

I recognise that there are many concerns about the fact that the non-inclusion of religious studies in the humanities component of the English baccalaureate could have an adverse impact on the study of the subject. The E-bac recognises those pupils and those schools that succeed in securing achievement in the core subjects of English language, mathematics, the sciences, a language and history or geography, which reflects what happens in other high-performing countries. Singapore, for example, has compulsory O-levels in English language, mother tongue, maths, combined humanities and science. In France, the brevet is made up of exams in French, maths, history, geography and civics. In Japan, all students at the end of junior high school at the age of 15 are tested in Japanese, social studies, maths, science and English, depending on the prefecture. In Alberta, there are compulsory tests at 15 in maths, science, social studies, English and French. In Poland, 16-year-olds are tested in humanities, Polish, maths, science and a foreign language.

We deliberately kept the English baccalaureate small enough to enable pupils to study other subjects, such as music, art, RE, economics or vocational subjects. My concern is that the core academic subjects of the English baccalaureate—English, maths, science, a language, history or geography—are being denied to too many pupils, especially the more disadvantaged. In 2010, only 8% of pupils eligible for free school meals were entered for the English baccalaureate subjects, with only 4% achieving them. Of the 24% of non-free school meal pupils who took the E-bac, 17% achieved it.

In 719 maintained mainstream schools, no pupil entered any of the single award science GCSEs. No pupil was entered for French in 169 secondary schools. No pupil was entered for geography in 137 schools and no pupil was entered for history in 70 schools.

John Pugh: May I disabuse the Minister of his view that I was arguing for a change in the legal status of RE? I was trying to explore whether there are good arguments that he could give that are rationales for making the subject compulsory, which would not be good arguments for making it an option within the baccalaureate.

Mr Gibb: The arguments would be the same except that it is unnecessary to make RE a component of the English baccalaureate, because it is already compulsory by law. That is the reasoning behind our decision not to include RE in the humanities component.

RE is clearly a popular and successful subject. Judging by the increasing proportion of students who take a GCSE, it is one that is taught to an academically rigorous standard. There has been an increase in RE GCSEs from 16% of the cohort in 2000 to 28% in 2010. In addition, 36% of the cohort was entered for the short course GCSE in religious studies. By contrast, there has been a decline in the numbers entered for GCSE in history, geography and languages.

Mr Lammy *rose—*

Mr Gibb: I will not give way to the right hon. Gentleman, because I am running out of time.

The proportion of young people attempting geography GCSE dropped from 37% in 2000 to 26% last year. Modern languages dropped from 79% in 2000 to 43% in 2010. Of course 79% of pupils in the independent sector attempted at least one foreign language in 2010. We are determined to close the attainment gap between those from wealthier and poorer backgrounds, and this is one tool in our toolbox to achieve that.

Our hope and expectation is that the English baccalaureate will encourage more students to study history, geography and languages. As it is compulsory to study RE until the age of 16, students will continue to take RS GCSEs in addition to the English baccalaureate subjects.

My hon. Friend the Member for Banbury (Tony Baldry) proposed having a humanity component of two out of three options, including RE, in the humanities block. We have considered that, and we will continue to review it. The concern is that that will extend the size of the E-bac to seven or eight GCSEs, making it less small and therefore restricting the space for vocational education, music and the arts and for those who do not want to study RE to GCSE.

Forensic Science Service

12.30 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I am pleased to serve under your chairmanship, Dr McCrea, and I am also pleased to secure this debate on the future of the Forensic Science Service.

My interest in this subject began with a visit from one of my constituents, who works as a senior forensic scientist at the northern firearms unit in Manchester. It was at his invitation that I was able to visit that facility, which is part of the wider FSS. I intend to say a little more about the unit later in my speech, but first I want to say that my constituency owes a wider debt to the work of the FSS.

I am sure that Members are familiar with the crimes of Dr Harold Shipman. He was a trusted family doctor in my constituency who murdered more than 200 of his patients in what remains this country's worst case of a serial killer. Without the detailed toxicology evidence that the FSS offered to the courts, it is questionable whether the extent of his killings would ever have been proven. This single example is a powerful reminder of the capacity that the FSS gives to our law enforcement agencies.

The 1,100 highly trained staff in the FSS have the skills and expertise to identify an offender or unravel the chain of events that led to a crime, often from studying no more than a pattern of blood, a strand of hair or the tread-markings left by a shoe. Their unrivalled range of expertise includes the analysis of documents, mobile phones, toxicology, marks and traces, DNA, firearms, fibres and hair. Their analysis has helped to secure convictions in 220 so-called "cold cases", and a further 600 cases are actively under review. Among their groundbreaking achievements was the establishment of the world's first national DNA database. The FSS is now based in four laboratories across the country and it deals with up to 120,000 cases a year, regardless of their complexity. The quality of its meticulous work has earned the FSS the respect of experts from around the globe.

In December 2010, the Government announced that the FSS will close by the end of March 2012. As I understand it, the Government hope that the closure of the FSS will increase competition. They believe that the vacuum created by its absence will immediately be filled by private providers and in-house police force provision, and they hope that by creating a more commercial market prices will be driven down and turnaround times improved.

I have real fears, however, that the absence of the FSS will impact on the quality of justice in the courts. I know that no Member would want to back proposals that would directly result in our losing the ability to carry out this kind of work. I hope that raising these concerns today will lead the Government to take a second look at their plans.

Any changes to the FSS must have the integrity of our judicial system at their core. There are still too many questions about the scope and quality of the provision that will be available following the closure of the FSS. In my remarks today, I will consider whether the high standards, impartiality and scope of the current provision will survive under the Government's proposals; I will question the financial argument being put by the Government; and I will ask whether the Minister is willing to risk serious damage to the quality of justice by implementing these reforms.

As I mentioned previously, my concern about this issue began when I recently visited the northern firearms unit, which is part of the FSS. My visit was at the invitation of a constituent who has worked in this sector for more than 24 years and is deeply concerned by the Government's plans. He is one of several specialists at the unit who are called on to support the police at scenes of shootings around the clock, 365 days a year. Their laboratory analysis can shed important light on the circumstances surrounding a crime. By looking at wounds, blood patterns and bullet casings, they can determine how a person was shot, the number of weapons involved and even if the same gun has been involved in other shootings. The unit has played a major role in solving a number of high-profile gun crimes and in achieving the subsequent convictions.

The unit's success relies, however, on the flexibility to devote the time necessary to each investigation. Staff at the unit fear that many of their successes might not have been possible within the financial constraints of a more commercial market. They also fear that private providers are unlikely to offer the guaranteed on-call service that is required. I am sure that private companies will bid for the work of the FSS, but the risk is that they will cherry-pick the quickest, least labour-intensive and most profitable parts, which could have a serious impact on the quality of justice delivered by our court system.

Philip Davies (Shipley) (Con): I commend the hon. Gentleman for securing this debate, and I agree with the points that he is making. Does he agree that another factor to consider is that the FSS, which I have also visited, keeps an awful lot of DNA samples taken from crime scenes, and that it seems that the Government have not given much thought to what will happen to all those samples when the FSS closes? The work done by the FSS is far too important for us simply to hope that something will be put in its place. The Government need to ensure that something is in place before they go ahead with the closure of the FSS.

Jonathan Reynolds: I thank the hon. Gentleman for that intervention and I absolutely agree with him. I will address the point he makes later in my speech.

I visited the firearms archive in Manchester, which is truly something to be seen. It is important not only for cross-referencing crimes with other crimes but for the expertise that goes with that work. Using the archive properly is absolutely crucial, but I understand that the Government have not yet decided what will happen to it. The future of the archive is very important.

Andrew Miller (Ellesmere Port and Neston) (Lab): I will be cautious in my remarks because I am Chair of the Science and Technology Committee and we are in the middle of an inquiry into this issue. I am pleased to see that two of my assiduous colleagues on the Committee—the hon. Members for Croydon Central (Gavin Barwell) and for South Basildon and East Thurrock (Stephen Metcalfe)—are in Westminster Hall for this debate; they both play an important role on the Committee.

One strand of evidence given by many people is about the Birmingham archive for the FSS, which is the central records store of the FSS operation. Everyone is arguing that the archive needs to be kept intact and protected and made accessible for the investigations that my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) has referred to. Following his own research, does he agree that protecting the Birmingham archive is a necessary part of the process?

Jonathan Reynolds: I agree absolutely and I thank my hon. Friend, the Chairman of the Select Committee, and indeed other members of the Select Committee for attending today. I have read through much of the evidence they have received. Given the limited time for this debate, it is not possible to go through all the evidence, but my hon. Friend's point about the Birmingham archive is particularly important and I hope the Minister will be able to offer us some assurance about the archive.

The northern firearms unit, which I visited, is just one of many disciplines offered by the FSS. It is a small but significant cog in a much larger wheel. No private provider is currently able to offer the same breadth of forensic services and expertise as the FSS, whose holistic approach is a clear benefit to our judicial system. By offering such a comprehensive range of services, it is in an unrivalled position to determine what is required from a crime scene and to provide the data.

Dan Rogerson (North Cornwall) (LD): I congratulate the hon. Gentleman on securing this important debate. The FSS has a range of responsibilities and inputs. Does he agree that, given the unfortunate potential for a rise in terrorist offences—or at least the threat of terrorist offences—as well as the more regular criminal activity that the FSS deals with as part of the justice system, there are concerns about resilience in dealing with terror?

Jonathan Reynolds: I agree. Our capacity to deal with an incident such as a major terrorist incident is one of the most pressing problems that we face. I think that we would all agree that, whatever the costs involved, we simply cannot be without the capacity to respond to such incidents appropriately.

By working across a range of services, the FSS offers a holistic approach that allows its specialists to evaluate the relative importance of any crime scene before a case goes to court. Without that holistic approach, the danger is that analysis of a crime scene would have to be delivered piecemeal by different providers. That would introduce unnecessary confusion and possibly compromise justice.

In addition, there is the challenge of maintaining standards if the FSS is closed. The ability to determine that current levels of accuracy are maintained will be crucial. At present, members of the European Network of Forensic Science Institutes, such as the FSS, must be accredited. However, with the exception of those dealing with DNA, there are no statutory requirements for forensic science companies or in-house police departments to comply with any published standards. Few of us would think that these plans to close the FSS could come into force until stronger requirements were in place to ensure that all providers must meet minimum standards.

Moreover, that step would have financial implications of its own. I understand that the Government have already made it clear that additional funds would not be available for police forces that wished to increase their own laboratory capacity. If the police choose to increase their in-house provision of forensic services, they will also have to address the issue of impartiality. We are well aware of the importance of justice being seen to be done as well as being done, but where the police are both the forensic science provider and customer, questions are bound to be asked. Of course, among the incidents that are likely to cause concern are those involving police officers themselves.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Does the hon. Gentleman accept that the police have already taken a great deal of forensic science in-house, and that the trend in the marketplace, which perhaps has led to some of the current problems, has been caused by the police doing that and leaving less and less for people to fight over?

Jonathan Reynolds: I recognise that point. The statistics show that income from the sector has decreased as functions have been taken in-house. A point that I would like to address later in my speech is that some functions can be taken in-house but others cannot, and we must maintain that capacity.

Gavin Barwell (Croydon Central) (Con): The hon. Gentleman is being very generous with his time in giving way. Further to the point my hon. Friend the Member for South Basildon and East Thurrock (Stephen Metcalfe) has just made, does the hon. Gentleman not agree that, although the Government have to take some action because of the FSS's financial situation, the market that their strategy seeks to create is being diminished each year by the increasing level of police in-house provision?

Jonathan Reynolds: Yes. The hon. Gentleman's point is crucial because, if the market is not rigorous and robust, there will be nothing there to fill the gap created by the absence of the FSS.

As well as being active in the immediate aftermath of a crime, the FSS also secures convictions in so-called cold cases. Over many years, it has built up archives of more than 1.5 million case files and a vast number of retained materials, including DNA, fibres and recovered debris. The application of advanced forensic techniques to archive material by FSS scientists has helped to secure convictions for more than 220 historical crimes. That work would not be possible without the archives, but we do not know what will happen to them when the FSS is closed. Other Members have made that point, and the Government clearly need to address it. In addition, we do not know what will happen to the unrivalled collection of firearms currently in the FSS's possession.

The dissolution of the FSS will clearly require something to emerge to fill its place and continue its important work. The Government have claimed that there is no reason to think that the private sector would be unable to meet the demand for forensic services; but where, Minister—as the FSS itself might ask—is the evidence? As uncertainty continues to surround the provision of forensic science services in the UK, significant numbers

[Jonathan Reynolds]

of scientists are taking up jobs overseas or choosing to move on to other careers, and the coverage offered by the current private forensic science providers is broad in neither scope nor geography. I am told, for instance, that not one provider in the south of England specialises in firearms. Following the reduction in the market, questions have been asked about the financial stability of a number of accredited private providers. Can the Minister tell us what safeguards there will be to ensure that all the required forensic specialisms are available in the new marketplace?

We also need to ask what will happen in the wake of a major terrorist incident. In the immediate aftermath of the bombings and attempted bombings of 7 and 21 July, more than 100 FSS scientists were called on to analyse 4,500 items. Drawing on those experts in DNA, document examination, mobile phone analysis, toxicology, and marks and traces, it was possible to determine what had happened. Thankfully, such incidents are not commonplace, but the warning this week reminds us that we never know when the next incident might be—we know only that there is likely to be one.

The FSS is the only UK organisation with forensic experience of terrorist attacks. Without it, who would have the capability and capacity to provide the vital evidence that our judicial system requires? It is not acceptable to leave the UK unable to deal with the aftermath of a major terrorist attack, and if the Government cannot prove that their plans have the rigour to cope, they should withdraw them immediately and think again.

When there are so many unanswered questions and so many risks attached, I wonder why the Government have started down this path. I fear that they have made a mistake in reaching their decision to close the FSS, and that they will soon regret it. They have repeatedly insisted that the FSS—currently a Government-owned company—makes monthly losses of about £2 million, and I understand that they hope that a more commercial market will drive prices down and improve turnaround times. The Government's plans, however, do not seem to add up.

In recent months, the FSS has closed down three laboratory sites and shed 750 staff as part of a drive to make itself more competitive. It is believed to be on track to make the required savings, yet the Government themselves admit that the £2 million figure they repeatedly use to justify their plans takes no account of the significant savings made by the restructuring programme.

We know that the service provided by the FSS is exceptionally good. I can say without hesitation that its work has made my city, my constituency and my community safer, and the same is true for other Members. I hope, therefore, that the Minister understands how concerned many of us are about the possibility of losing the FSS and is able to offer me some solid assurances in his response today.

12.44 pm

The Minister for Immigration (Damian Green): I echo other Members in congratulating the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) on securing this debate. I am aware of the importance of this issue and the sensitivities that surround it. Forensic science is clearly a vital tool of the criminal justice system and one which deserves proper consideration by this House.

The hon. Gentleman mentioned the Harold Shipman case, which is just one of the most dramatic—in many ways terrible, obviously—of the many cases in which forensic science plays a vital role. The Forensic Science Service has had a proud tradition of providing an excellent, professional service to the whole criminal justice system, but its financial circumstances meant that decisive action was needed to maintain the continuity of supply of forensic services to that system. In the end, I think that what all our constituents will most care about is that the system continues in an efficient fashion.

Let me go through why the announcement has had to be made and answer some of the questions asked by the hon. Gentleman and by other Members on both sides of the House. The situation that led to the Government's announcement to manage the closure of the FSS last December is clear: the challenging forensics market put the FSS in serious financial difficulty. As the hon. Gentleman said, the FSS had monthly operating losses of about £2 million and faced the prospect of further shrinkage in demand for forensic services. The Government have invested significant amounts of money in recent years in restructuring the FSS, but the downturn in the forensics market unfortunately meant that further investment in restructuring the company was no longer a viable option.

We considered three options to resolve the financial difficulties faced by the FSS: uncontrolled administration, further restructuring of the company, and a managed wind-down. Without the prospect of further financial help, the FSS board would have been forced to place the company into administration in early 2011. Uncontrolled administration would have seriously damaged the forensics capability available to the criminal justice system, and we were not prepared to take that risk. From everything that the hon. Gentleman said in his speech, I imagine he would agree that such a risk should not have been countenanced in any way. Although further restructuring would have had less impact on the criminal justice system than losing the FSS overnight, it would not have solved the key underlying problem of reduced customer demand. The FSS had already received a £50 million grant for restructuring, and although it has significantly reduced the size of its business, the market has continued to contract. The FSS's share of the market has also shrunk as other competent companies have won police contracts through the police procurement process. That, combined with EU state aid and competition law constraints, meant that further restructuring was simply no longer viable.

I strongly believe that the managed wind-down of the FSS is the right choice, both financially and for the criminal justice system. Several Members have asked about the attitude of other people within the criminal justice system. We consulted key partners across the system before making this decision, and their collective view is that a managed closure is in the best interests of the system as a whole.

Andrew Miller: I would be the first to acknowledge that the GovCo process had not been as successful as was hoped. What worries me about the position taken by the Minister and his colleagues is that no one can tell us what the economic facts are. Simply talking about the FSS's expenditure is not adequate; we need to know the capital expenditure on forensic science—programmes past and present—of every police authority, but neither the Home Office nor the Association of Chief Police Officers can provide that information. Until that information is available, I am afraid that the Minister will have a hard job convincing people of what might be a meritorious case.

Damian Green: I appreciate the hon. Gentleman's point, and I have read the evidence given to the Science and Technology Committee by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), a few weeks ago. He was pressed for that information, and undertook to go away and find it out. The hon. Gentleman said that he requires the full economic case. The starkest economic point is simply that the FSS is draining money away. Money has been put into restructuring, and it has not worked. As he said, the previous Government set up a GovCo in an attempt to solve the problem, but sadly, that has not worked. We knew that we could not carry on as before. The Government were faced with a set of options, and I am trying to explain why we chose what we did.

Andrew Miller: I understand where the Minister is coming from, and we have been told today that the Home Office cannot provide that information because it is impossible to calculate, but the starkest economic fact is that we do not know how we are managing public money that has been spent on forensic science. Surely it must be the Minister's highest priority to work out that conundrum.

Damian Green: It is certainly a priority, but the hon. Gentleman will know that the operational expenditure of individual police forces is a matter for chief constables. *[Interruption.]* He makes a gesture, but it would be wrong for Home Office Ministers to try to detail every piece of expenditure by every police force in the country. By going down that route, we have over-managed police forces and other public services, to their detriment. I am afraid he will have to bite the bullet: allowing the police operational independence is an important way to improve the service.

Philip Davies: On the operational independence of the police, the Minister will be aware that some of the fiercest criticism of the closure of the FSS has come from police chief constables, including the chief constable of South Yorkshire, who said that it would

> "have a 'disproportionate effect' on forces in Yorkshire and the North East because they are more reliant on the service than constabularies elsewhere."

If the views of the police are so important, will he bear in mind their views on the closure of the FSS?

Damian Green: Absolutely. My hon. Friend leads me neatly into what I was about to say. The Association of Chief Police Officers, in particular, is clear that the forensic markets can cope with the managed wind-down of the FSS, and ACPO has been closely involved in the process being carried out by the Government.

To address the fears about uncertainty, the managed wind-down of the FSS will allow time for the restructuring of the timetable for tendering new contracts, for the re-tendering of existing FSS contracts and for other forensic suppliers to develop their capacity to meet any additional requirements. That approach will also enable the FSS's business and assets to be transferred in order to build a healthy market around other existing forensic suppliers, which already account for about 35% of the forensics market. That is clearly a significant point. Some may think that there is no one out there and this is a leap in the dark, but more than one third of the market is already in the hands of other operators.

Jonathan Reynolds: Does the Minister accept that many of the prices currently offered by private sector providers are the result of competition with the FSS? If that is taken away, there is a chance that the marketplace could consolidate or prices could rise, which would not be in our interests. Further to that, many of the people in that specialist area have been trained by the FSS. As I understand it, private sector providers' prices do not take into account the increased cost base of training their own people to be as skilled as they need to be to cover all the specialisms currently being covered.

Damian Green: The hon. Gentleman makes the valid point that competition drives prices down and makes industries more efficient. That is a universal truth. However, a competitive market exists, and the managed wind-down of the FSS will enable the individual players in that market to become more competitive and the market itself to become a more effective area of competition.

The Government want the UK's forensic science industry to operate as a genuine market, with private sector providers competing to provide innovative services at the lowest cost. That will, inter alia, preserve police resources and maximise the positive impact that forensic sciences can have on tackling crime. A competitive market can help drive down prices and improve turnaround times, meaning that serious crimes can be cleared up more quickly and efficiently. Ultimately, I am sure that that is what we all want.

Research and development in forensic science is essential to ensure the continued availability of a high-quality, efficient forensic science capability for the criminal justice system. Historically, such research has been undertaken by a wide range of organisations, including the private sector, Government-owned laboratories and academia.

Our decision took into account the need to manage the impact on forensic science research and development in the UK. Unfortunately, the FSS's financial position had already limited the capacity for research and development for which it had become renowned. During the managed wind-down, we are working closely with the police, the FSS, the Crown Prosecution Service and other forensic providers to consider how the industry can build on existing expertise and continue the UK's renowned research and innovation.

Gavin Barwell: The Minister outlined the options that the Government considered when taking the decision. Did they consider restricting the police's ability to provide in-house forensic services? That might have given the FSS a larger market in which to compete. As he will know if he has studied the evidence received by the Select Committee, many private sector suppliers have expressed concerns about their ability to invest in the future in a declining market if police provision continues to increase.

Damian Green: I am aware of the evidence given to the Select Committee. Perhaps this is a good time for me to address directly the question of how objective the advice given to police forces on forensic science will be if the service is provided in-house. The evidential value and integrity of forensic exhibits is tested under the intense scrutiny of the courts—from the point of collection, through analysis to interpretation and reporting. Each step in the process must be able to withstand such critical review, not least because the first body that the police must convince in any prosecution is the CPS. That is now an independent function. Fears that something untoward will happen if an individual police force does its own forensics in-house can be overstated.

Keeping one eye on the clock, I will deal directly with one or two other points raised in the debate. On the question of what will happen to the FSS's archives, the Government obviously recognise their importance in academic terms and, perhaps even more importantly, to the investigation of cold cases. The forensic transition board has set up an archiving project board with members from the Home Office, the FSS, ACPO and key partners across the criminal justice system to recommend options for the handling and retention of FSS records so that historical data remain available to the criminal justice system. As part of that, we will seek to ensure that the necessary expertise remains to work on the data and mine them in the future.

Doubt was expressed about whether private providers will be able to cope, particularly with a major incident such as 7/7. As I mentioned, ACPO has made it clear that the forensics market can cope with the managed wind-down of the FSS. An orderly wind-down, which is what we are managing, will allow adequate time for the current forensics framework to be restructured, for existing FSS contracts to be re-tendered and for other suppliers to increase their capability. We are reviewing the FSS functions as part of the process of managed closure. The Under-Secretary of State for the Home Department, my hon. Friend the Member for Old Bexley and Sidcup, who is the Minister responsible for crime and security, has kept Members informed of the Government's plans so far and will continue to do so, particularly those Members who have forensic science sites in their constituencies.

The Government are aware that the decision to manage the closure of the FSS has put employees and their families in a difficult position. My hon. Friend has personally—

Dr William McCrea (in the Chair): Order. We must move on to the next debate.

Problem Gambling

1 pm

Philip Davies (Shipley) (Con): It is a pleasure to serve under your chairmanship, Dr McCrea.

The gambling sector is a highly successful industry in this country, employing more than 100,000 people and contributing more than £1.4 billion to the Exchequer in betting and gambling duty alone. A large majority of the British public enjoy gambling as a leisure activity, with 73% of the UK population participating last year alone, which is an increase of 5% from 2007. In his excellent book, "Gambling: A Healthy Bet", Patrick Basham finds that gamblers tend to participate more in community and social activities than non-gamblers and donate more to charity. However, for a small proportion—0.9%, according to the latest prevalent study—gambling can develop into a problem that negatively affects their lives.

What we must bear in mind, however, is that 0.9% is a very small amount. Many experts in the field have concluded that the small rise in the number of those with problem gambling in the latest prevalent study may not be a true representation of an increase in problem gambling; it may well be that problem gambling is both better reported and more socially acceptable today and that its true extent is now, therefore, becoming more apparent. Nevertheless, it is difficult to think of any other policy area in which 0.9% of the population affects Government policy as markedly as seems to be the case with gambling.

As with all other forms of addiction, there will always be a proportion of the population who are addicted to gambling. It is impossible to eliminate addiction, no matter how much money, how many programmes or how much treatment is provided. The blame for an addiction should not be placed at the industry's door, because it is not the industry itself that makes people addicts—it merely offers a service—but the individuals themselves. We should therefore treat the problem, which is the person concerned, and stop attacking the product.

Mr David Lammy (Tottenham) (Lab): Is the hon. Gentleman not concerned that bookmakers in particular are saturating many of our high streets, particularly in London? Although a few shops might satisfy demand, a proliferation of them and an increase to nine or 10 shops on one stretch of high road can, frankly, only promote gambling and addictive behaviour among the poorest.

Philip Davies: No, I am not. I know that the right hon. Gentleman has a bee in his bonnet about this issue, but I do not share his concern. I believe in the free market and the market of supply and demand. If there is not enough demand to meet the supply of those shops, they will close down. I am sure that he would prefer high streets to have betting shops rather than shops that have been boarded over and are ripe for vandalism. I certainly welcome betting shops moving on to the high street when other shops will not.

It is for the reason that I have outlined that I disagree with the premise that the gambling industry should be compelled to fund the treatment of problem gambling. It seems absurd, especially as fast-food companies such as Burger King and Krispy Kreme do not fund research into and the treatment of obesity. I used to work for Asda and I cannot remember anybody saying that Asda was expected to fund treatment of obesity just because we happened to sell cream cakes down one of our aisles. It seems that gambling is treated on a completely different basis from those other industries.

Discussion of the issue also strikes me as disproportionate. The gambling industry's funding target is set at £6 million for 2011 and £7 million for 2012. In contrast, the Portman Group, another highly regarded organisation, raised £6.3 million between 2007 and 2009 for their trust's education and campaigning work. Given that the UK alcoholic drinks industry is valued at more than £30 billion, the demands on the gambling sector seem less than fair or consistent, to say the least.

Nevertheless, we are where we are for the time being. Given that the industry is pouring so much money into the issue, and given that it has the greatest vested interest of all in the money being spent wisely and in being successful in reducing problem gambling, does the Minister not agree that it would be fairer and make more sense if it had a greater role in how the money that it gives is spent?

In October 2008, the Gambling Commission recommended the establishment of a new structure to raise and distribute funding for gambling research, education and treatment. The previous Labour Government insisted that if a voluntary agreement was not reached, they would intervene and ensure that a statutory levy was installed. I am interested to hear the Minister's definition of "voluntary", because that certainly is not what I understand the term to mean.

As a result, new bodies were created. The GREaT Foundation—Gambling Research, Education and Treatment—raises funds for research, education and treatment of problem gambling by collecting voluntary donations from the gambling industry. The Responsible Gambling Strategy Board advises Ministers and the Gambling Commission on priorities of funding, and the Responsible Gambling Fund is an independent charity that was set up to distribute the money raised. In addition, there are three expert advisory panels. Can the Minister explain why we need all of those? Why can the body that raises the money not be trusted also to allocate it? In short, we appear to have a bureaucratic nightmare—not to mention the cost. The Responsible Gambling Strategy Board costs about £250,000 a year just to run, which does not give any benefit to those suffering from problem gambling.

Almost half the funding last year was given to a charity called GamCare, which is the leading provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. GamCare has established a responsible gambling code of practice and certification process that have been adopted by many of the successful betting companies. The 11-point code consists of an age verification-parental supervision process, encourages a balanced advertising and promotional message for gambling companies, and allows customers to set a daily, weekly or monthly deposit limit on their gambling accounts.

Other initiatives include a self-exclusion policy whereby customers can close their accounts for six months, after which they must present a written case for why they should be allowed to use their accounts again. Customers can also limit their session times for games or events that have no natural end, which provides them with greater control over their gambling. Employees in gambling companies also receive responsible gambling awareness training, which assists them in identifying the triggers and causes of problem gambling and raises awareness of the relevant support agencies and the policies, processes and regulatory requirements that surround the gambling industry.

David Simpson (Upper Bann) (DUP): Does the hon. Gentleman see a role for educationlists or schools in helping to educate young people about the danger of gambling addiction?

Philip Davies: The hon. Gentleman makes a fair point. I encourage him to read Patrick Basham's book, "Gambling: A Healthy Bet", which talks about how developing an understanding of risk at an earlier age is good for people in terms of not just gambling, but their skills for the rest of their lives. I certainly think that there is much merit in what Patrick Basham writes in his book.

Esther McVey (Wirral West) (Con): Is my hon. Friend aware that there is currently no GamCare treatment provider available on Merseyside? The closest is in Manchester. Does he know whether that will be addressed?

Philip Davies: My hon. Friend is, as ever, on the ball with what is happening in her area. She has quickly established a reputation for herself as a champion of her constituents and her area. She is absolutely right that Merseyside currently lacks a GamCare treatment facility. It is not GamCare's fault; its provider had funding from other agencies taken away, so it has closed down. I know that GamCare shares my hon. Friend's concern that there should be a provider on Merseyside, and I hope that it will be able to find a replacement provider soon for the benefit of her constituents.

GamCare has established a national helpline with an international reputation and an infrastructure delivering counselling to 70% of the country. The helpline, including a net-line live chat service and forum, provides a service for gamblers and others affected by gambling. The helpline receives about 1,000 calls a week. It offers help and support to people in crisis, some of them suicidal. GamCare's professionally trained advisers explore the best way to support the caller by signposting them to debt advice, family therapy, self-exclusion or further counselling.

In 2010-11, GamCare provided sustained confidential counselling for some 2,500 people, which is 20% more than the previous year. GamCare also worked closely with the National Problem Gambling clinic in London to provide the best treatment for customers. And it works; some two thirds of the problem gamblers it treats are no longer problem gamblers at the end of their treatment. At the beginning of counselling, 88% of GamCare's clients are assessed as problem gamblers; by the end of treatment, that figure is 28%.

GamCare has calculated the cost-benefit analysis of its treatment. It has estimated that each problem gambler costs the state about £8,000 a year. With 450,000 problem gamblers in the UK, that could mean an annual bill of about £3.5 billion. By contrast, GamCare has estimated that, on average, it costs just £650 to treat each individual.

[Philip Davies]

With two-thirds of clients successfully ceasing to be problem gamblers at the end of their treatment, that produces a return on investment that is greater than 8:1—compared with the treatment for drug users, where the return is estimated at just 2.5:1. That surely highlights that the money is well spent and that expanding the service should be a priority.

GamCare has recently launched a new e-learning package, with the aim of helping more companies to improve their standards of player protection. Considering that there are 127,500 people under the age of 24 with a gambling problem in the UK, GamCare is ready to introduce education into schools and for parents and to open the communication lines with GPs. That is all ready to go if the funding is in place. However, at a time when more money than ever is available—a funding target of £6 million this year and £7 million next year—the industry is seeing more and more of it swept up into burgeoning bureaucracy.

In particular, the Responsible Gambling Fund established under the previous Government is crippling front-line services, which is where the money is needed most. In 2009-10, the RGF spent almost £500,000 on staff costs and overheads, including £51,000 on consultancy. Even more interestingly, it is estimated that those costs will have risen by 10% for the year 2010-11. In an age of austerity, such an attempt at empire building is extremely worrying, and it is vital that we guard against the growth of a monster that constantly calls for more and more money, bigger and bigger budgets and more and more employees to deal with a problem that is being tackled effectively by organisations such as GamCare.

On top of that, the RGF is funding eight PhD studentships at an average of £20,000 a year to widen participation in gambling-related research as a means of informing public policy. That is a prime example of the unfocused nature of its research. In addition, the RGF has done very little on education for adolescents, while GamCare has already researched and outlined a fully costed actionable programme to implement. Can the Minister enlighten us about what research commissioned by the RGF has led to a major policy implementation that has made a real difference to reducing problem gambling? If he can do that, he is doing better than I can.

The people on the front line desperately need that money to fund treatment and to launch education and prevention programmes. By contrast, GamCare's funding for 2010-11 has been frozen, which makes it difficult even to maintain existing services, let alone develop new ones. Furthermore, the RGF has decided that GamCare's helpline should become a national problem gambling telephone helpline, thus throwing away the industry's investment over many years in an established and successful service and brand.

GamCare is currently basing its programmes on interim funding on a month-by-month basis, when what it really needs is a strategic three-year funding programme. In fact, with the correct funding, GamCare could provide the treatment, education and prevention services—either itself or with the appropriate partners—for an annual cost of around £3.5 million a year. The Government should concentrate on ensuring that the money is well spent, rather than just ensuring that more and more money is being pumped into a situation where it is being badly spent. The structure that was put in place nearly three years ago is just not working. There has been time for it to prove itself and, sadly, it has failed. Most of the people involved in the industry would recognise that.

The answer to this conundrum is threefold: strip away the unnecessary levels of bureaucracy; let those experts on the front line, who know how to help people in trouble, get on with delivering and expanding their existing services; and put proper programmes quickly in place to educate those most in need.

The Secretary of State for Culture, Media and Sport appeared before the Select Committee on Culture, Media and Sport, of which I am a member, and expressed his concern about problem gambling and the importance that the Government attach to dealing with the matter. It is therefore the Government's responsibility to ensure that there is a coherent strategy for education, prevention and treatment. The industry needs an effective body that makes good strategic decisions about risks and takes proportionate measures in terms of allocating funding to deal with problem gambling. The majority of the research should go to treatment providers and there is no justifiable reason why GamCare should not remain as the principal treatment provider and operator of the national helpline.

The industry, working directly with the charities, can step up to the plate and sort out the issue of problem gambling, but it would find it easier if it knew that it had the Minister's support in stripping away bureaucracy, getting the money quickly to the front line and trusting the experts. I hope that the Minister will give me his assurance today that that is what the Government will do.

1.15 pm

The Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport (John Penrose): It is a pleasure to see you in the Chair, Dr McCrea.

I will endeavour to respond to the points made by my hon. Friend the Member for Shipley (Philip Davies) in order, if I possibly can. I am delighted that he has taken the trouble to air this important and potentially tremendously troubling issue in Parliament. It is a topic that does not get enough balanced and careful debate, and I therefore pay tribute to him for raising it. Some of the issues surrounding the problem deserve a fuller and more careful exploration and I welcome his initiative in seeking to do so.

I also welcome my hon. Friend's opening comments. He is absolutely right to say that, for the vast majority of people, gambling is fine if it is done carefully and in moderation. In many cases, gambling causes no problems and is a source of innocent fun and enjoyment. It is the same as enjoying an occasional glass of wine or pint of beer—it causes no problem for anybody. He also rightly went on to say that, sadly, that is not the case for a small but real minority of people. I am sure that everybody here regrets and is concerned about the current figure of 0.9% of people who gamble turning into problem gamblers. In focusing on those unfortunate people and what we can do for them, however, we should not lose sight of the fact that, for the vast majority of people who participate in gambling, it is a harmless and enjoyable source of fun. He is absolutely right to put the matter in context and to lay out that framework before we get into the detail.

I must confess that I was a little concerned when my hon. Friend started to make the point that he is not sure whether gambling companies should be funding research and help for problem gambling. He then moderated his point a bit and said that it is entirely reasonable—he gave the example of the Portman Group in the drinks industry and in doing so seemed to accept the principle—for companies involved in these kinds of industries to contribute something. His point is not that it is wrong in principle; rather he is arguing about the level of contribution. It is important we accept that principle and that all hon. Members agree that companies involved in such an industry, whether we are talking about alcohol or gambling, accept that they have a broader social duty to act and behave responsibly towards the small minority of people whom their products potentially harm.

Mr Lammy: The Minister has paid some attention to the small proportion of problem gamblers, as has the hon. Member for Shipley (Philip Davies). Does he recognise that the prevalence study also reveals that there has been a 50% increase in gambling in society since 2007? That is significant and of concern.

John Penrose: I completely accept what I think is the right hon. Gentleman's underlying point: that one figure—it was just into the area of statistical significance, although it was right at the borderline—in the recent gambling prevalence survey shows that there has been an increase in the number of problem gamblers. That figure has partly been driven by the fact that more people are gambling, many of whom create no problem at all. However, the fact that the total number of gamblers has increased and that a proportion of those are problem gamblers means that there has been a statistically significant increase. He is absolutely right to point that out. I hope that I struck the right balance in my earlier remarks about the need to put that into context. We are not doing too badly internationally and, relatively speaking, other countries have higher proportions of people who are problem gamblers, but I am sure he agrees that that is absolutely no cause for either complacency or relaxation. We need to ensure that we remain alive to the matter, so I am glad that he made that intervention.

To return to the earlier comments made by my hon. Friend the Member for Shipley, I am delighted that he accepts the principle that it is right for companies involved in this kind of industry to contribute and to remain responsible. To be fair, almost without exception, the vast majority of people I have met in the gambling and gaming industries are keen to ensure that they recognise and live up to that duty. They are delighted to let it be known that they want to do that. There is an acceptance in the industry, and I think in society as a whole, that that is appropriate for companies involved in the industry. There may be an argument about the level of collaboration and involvement, which is entirely appropriate, but there is a broad cross-party consensus.

I accept my hon. Friend's point, however, that it is not only up to the industry. Clearly, Government and public health have a role. Organisations are starting to move into and participate in this area—the NHS has been participating for some time. It is interesting to note that—if I can call it this—the medicalisation of problem gambling is far less advanced than the medicalisation of other kinds of addiction. The treatment provided in the NHS for other kinds of addiction—for example, substance abuse—has been longer established than that provided for gambling addiction. There are moves in the NHS to do more, but he is right to say that there has to be a partnership between the industry and publicly-funded bodies to address the issue.

My hon. Friend has discussed the current arrangements. He is right to say that they have been in place for not quite two years. They stem from a report in 2008 and were implemented in 2009. I must confess that when I began my current role as Minister with responsibility for this issue, just under a year into the new arrangements, I looked at the history. It is true to say that there was a series of different attempts before the current arrangements were set up. I think that this is either the second or the third set of institutional architecture that has been imposed in this area. While there were people who made the precisely the same points as my hon. Friend on the concerns about the bureaucracy and cost in the current structure, a third or fourth reorganisation would have been something that both the industry, and to be fair problem gamblers, probably needed like a hole in the head at that point. He is, however, right to make the fundamental point. It is always correct for everybody to want to get the maximum possible value for money from any funds put towards treating an addiction problem, such as problem gambling. It is therefore sensible for us to look periodically at whether we are getting the best possible value for money.

The small caveat that I add to my hon. Friend's remarks is that, yes, the Government need to be comfortable with this, but we also need to bear in mind that the organisations that he talked about are overwhelmingly—exclusively, in this case—funded by the industry itself. This is industry money, not public money. We are not talking about a public bureaucracy, or an executive agency of either my Department, the Department of Health or any other branch of Government. Those organisations are, rightly in my view, funded and organised by the industry, and they include people who are involved in treating and dealing with gambling addiction. They share a very heavy proportion of the burden of trying to ensure that the maximum possible value for money is achieved.

My hon. Friend is also right to say that the new arrangements have been in place for nearly two years, so there is beginning to be enough of a track record to evaluate whether they are effective. In the course of the coming 12 months, that track record will be well bedded-in, and it will be sensible to start evaluating whether the value for money that everyone wants to see is being achieved. He is enunciating a very sensible principle. The plea that I would make, and the principle that I want us to establish, is that while Government clearly have an interest, we would expect the charities concerned and the industry to take a leading role as well.

Philip Davies: I welcome the comments that the Minister has made so far, and I agree with what he has just said. The industry needs to play a leading role. Will he accept, therefore, that it would be far better if the gambling industry, which funds all this, had much more of a say in how the money is spent to ensure that it is spent effectively? The industry pays the money, but it often has very little say in how it is actually spent.

John Penrose: That is a fair point, although it has a practical limit. It is perfectly reasonable for the gambling industry to be a force for good and to expect it to want to ensure that the money that it is donating is spent in an appropriate way. Other stakeholders will, none the less, want to be convinced that the gambling industry would not—I am sure that it would not, but this is the fear—give money and then direct the research into areas that were comfortable for the gambling industry, but not necessarily in the best interests of the wider issue of problem gambling. The gambling industry needs to push forward an agenda of value for money and the effective use of the cash that it is donating, but the gambling industry will need other stakeholders to create the right level of credibility in deciding where the money goes in the same way that the Government currently give money for academic research, but research funding councils decide which research projects are selected. That is correct, because otherwise there would always be the fear that the Government were funding academic research, in any area, into pet projects—politically convenient projects—rather than the ones that were academically pure. The same argument applies here.

Mr Lammy: The Minister makes a very good point. Is he concerned about the prevalence of fixed-odds betting terminals, particularly in bookmakers? That is a concern in other parts of the gambling industry. We also have two bookmakers currently paying their tax overseas. That is a concern, if we are talking about the overall quantum available for treating problem gamblers.

John Penrose: The right hon. Gentleman makes an important point, which I think goes back to a question asked by my hon. Friend the Member for Shipley: are there any examples of public policy research, funded by the Responsible Gambling Fund, that have made an impact on any of my decisions, or those of my predecessors?

One issue that I have raised with the RGF is that I am concerned that there is no significant research into establishing the kind of causal links, which I think the right hon. Gentleman suspects that there may be, between particular kinds of gambling and problem gambling. For example, many people believe that fixed-odds betting terminals are more likely to contribute to problem gambling than other kinds of gambling. The difficulty for someone in my position is that, while that is a widespread suspicion, there is no academically solid underpinning as yet to justify it. From my point of view, therefore, it is extremely difficult for any Gambling Minister to take effective decisions about whether particular kinds of gambling should be expanded or reduced, because there is not an adequate evidential basis on which to build a proper business case, or a proper political consensus. Into that vacuum rushes everybody with their favourite prejudice. Everybody has an answer about the reasons why we have this amount of problem gambling here and that amount of problem gambling there, but nobody has enough facts to form a solid evidential basis on which to build a reason for changing the law. I have therefore asked the various bodies to prioritise research that will provide that kind of evidential basis, and they have agreed to do so. Clearly, they must then decide what that will be—it needs to be at arm's length from Government to be credible. In response to the right hon. Gentleman's question, it is vital that we have that kind of evidential basis for the benefit of sensible and objective fact-based public policy making in future.

Philip Davies: Will the Minister also bear in mind the common-sense point that the number of machines in a particular shop cannot hinder problem gambling on the basis that somebody can only play on one at a time? That is like saying that if a pub has four different beers, and decides to extend that to 10, there will be an increase in alcoholism. That would clearly be nonsense, and I hope that the Minister will not let common sense fly out of the window when he looks at the research.

John Penrose: I am always happy to apply common sense. The particular example that my hon. Friend has chosen is perhaps unfortunate, because with the advent of the switch from £2 stakes to £1 stakes, there have been examples of people playing two machines at once, because they like playing with £2 stakes. I take his general point, however.

My hon. Friend has said, rightly, that he wants the industry to step up to the plate and take a lead in trying to sort out issues around problem gambling that cause concern. I share his view, and it is essential that both the industry and the other stakeholders do precisely that. The Government will certainly support any of their efforts to bring this issue under control.

Public Sector Jobs (Grimsby)

1.30 pm

Austin Mitchell (Great Grimsby) (Lab): I am grateful to be able to raise the issue of the transfer of between 20 and 30 compliance staff in Her Majesty's Revenue and Customs and 20 Valuation Office Agency staff out of Grimsby, where they are happily living and working. Grimsby is a very good place to live and work, but they are being transferred away, reluctantly in most cases. I raise the issue because the Treasury is responding this week, and the responsibility is HMRC's.

The numbers are small, it is true. HMRC states in its impact assessment that they are

> "less than 1% of those employed within the local authority area. It is therefore reasonable to infer that the local economy is not dependent on the HMRC presence at this office."

That is true, but they are simply part of a wider exodus from Grimsby and other smaller centres produced by the concentration policy, designed to concentrate Government services in larger centres and so to dispose of property and to produce efficiency savings.

In the context of that wider problem, Dame Lesley Strathie, the chief executive of HMRC, is the new Moses—leading her people not into the promised land but out of it, because Grimsby is surely the promised land and the best place for those people to be. She is leading them instead into some traffic-jammed wasteland of a bigger city, where they do not want to be. That is counterproductive, expensive and wrong. They will all have to drive for well over an hour, at enormous expense, to a destination where they do not want to work or be. I apologise to the Minister, because he is dealing not only with the issue of HMRC staff but with the policy of concentration and its impact on Grimsby and other small centres.

The impact is damaging, and Grimsby has higher unemployment than most of the country, in common with a lot of other one-industry towns in which the industry has declined. Grimsby needs jobs—public sector jobs: 21% of employment in Grimsby is in the public sector, compared with 9% in a place such as Wokingham in the prosperous south. Any transfer or loss of public sector jobs, therefore, has a disproportionate effect in Grimsby.

We have a higher proportion of the work force in manual jobs in north-east Lincolnshire than in most of the rest of the country, and fewer people in white collar and managerial jobs. According to the figures, 20% of the work force are classified under the categories of managers, senior officials and professionals, as opposed to 30% for Great Britain overall.

It is a great shame that the founders or forefathers of Grimsby did not take the trouble to invent a Grimsby building society or a Grimsby insurance company, such as the Norwich or the Halifax, which can continue to give employment to local people. We have not got that. We need more white collar and professional jobs in the employment mix, not only to leaven the lump—I should not describe it as that—but to widen employment prospects, providing more diversity and a better choice of careers for young people growing up in Grimsby. Those are the very jobs being taken away from us, however, by transfers based on what I see as a series of wrong decisions—by an act of folly.

Let me turn to specifics and, in particular, to the HMRC tax compliance staff, who are widely praised. In our deliberations on the Public Accounts Committee, we praised them for their achievement in recouping tax and for their great service. They have been praised by HMRC itself. Twenty-nine of them work in Heritage house, which is available to them until 2021—I think it was built to house Government departments and services, and it is certainly co-owned by Mapeley Estates, of glorious memory.

I cannot see why there is a rush to leave Heritage house. Why the exodus? The heads of the Valuation Office Agency and the chief executive of HMRC give different reasons for moving out of Heritage house, which will still be available. People from other departments, notably the Crown Prosecution Service, are also fleeing. That is part of the wider problem. The exodus involves not only HMRC, the Valuation Office Agency and the Crown Prosecution Service, but VAT staff and, we now hear, Jobcentre Plus and Department for Work and Pensions staff. All of them are moving out of Grimsby. Why the exodus from Heritage house? What is the effect on Heritage house?

Those people do not need to leave Grimsby at all. The HMRC staff could certainly be transferred to Imperial house, which also houses Inland Revenue staff. Thanks to the reduction in the Revenue staff employed in Grimsby, the fourth floor is now vacant. HMRC has to hang on to it—the fourth floor cannot be lopped off and turned into an entertainment centre, disco or whatever, to alleviate the problems of the staff. If the staff have to be transferred from Heritage house, why can they not be transferred to the fourth floor of Imperial house, to work with the other tax staff?

They are not being offered that, however, and nor are they being offered the opportunity to work from home, which they told me they could do. Instead, the proposal is to transfer them to Hull or to Cromwell house in Lincoln. The chief executive of HMRC told me that the policy was to

> "consolidate its teams into fewer sites and place more location-specific work into larger, more efficient teams in urban centres."

That will be costly, because both Hull and Lincoln are more than an hour and a quarter's drive away. If people are transferred to Hull rather than Lincoln, they will have to pay £30 a week in toll charges on the Humber bridge—an expensive business which, incidentally, was not mentioned in the impact survey.

If staff who are transferred must travel for more than an hour—these people will be travelling for well over an hour and a quarter—their travelling expenses must be paid for five years and not only for three years. The department's calculations are made on the basis of three years' payment of travelling expenses, for 27 staff I think, at a total cost of £492,000. I think it would be a higher figure than that to transfer those staff to Lincoln: probably £600,000 or more, because they have to be paid for five years given the distance involved. That is deemed by the Treasury to be taxable income. We are taking on a major expense for a minimal service, and shuffling expenditure from the property portfolio to continuous travel expenses. If staff are transferred to Cromwell house, they will arrive there knackered. The drive is not pleasant—I do it quite often—and the drive

[Austin Mitchell]

to Halton is even worse. I like going to Lincoln, but it is unpleasant driving there, particularly at peak travel time.

I am not sure whether it is HMRC's intention that compliance staff should arrive at Lincoln after an hour-and-a-half drive exhausted and bad tempered, so that they will be more aggressive with the claims they deal with and produce an even greater return. I hope that is not the intention, but it will certainly be the effect. The work done by HMRC staff is not local but non-specific; however, that done by VOA staff is largely local. In the recent fracas about retrospective property valuations, VOA did not have enough staff to complete them. They should have been done from 2006 onwards, but there were not finished until 2010 because of staff shortages arising from efficiency decisions. Yet it is proposed to move staff.

The problem varies in each department, but the overall transfer of not only HMRC staff but staff in other departments is damaging to the employment mix in Grimsby and the recruitment prospects of young Grimbarians, and is unnecessary. I am sorry to say that it will also be damaging to the work, morale and lives of the staff who will be shuttled around willy-nilly, because they do not want to go. They like living and working in Grimsby, which is understandable; I do, too. Why must they move when it would be cheaper for them to continue working in Grimsby, it is expensive to move them to Lincoln, and there is existing office space in Grimsby?

The policy is short-sighted and wrong. It is yesterday's policy from the mid-noughties, and it is being forced on today's work force at a time when unemployment is higher than when the policy was arrived at. I have been arguing and have had extensive correspondence with the chief executive of HMRC, who is a courteous and place-worthy lady, and the chief executive of VOA, but it is like arguing with a speak-your-weight machine. Their replies are about a policy that was forced on them when they took over their jobs. The correspondence has not been satisfactory, and their letters always end, "I hope you find this helpful." Frankly, I do not, because they do not respond to my points. The policy is dictated by the need for economy and efficiency savings, but it will work against both because staff will not be more efficient after an hour-and-a-half drive to work, and it will not be economic to pay them £200,000 a year in travel expenses to do so.

The answer is not to take staff from Grimsby, but to transfer them to Grimsby. It is a good place to live and work. Office expenses are low, and rents per square foot are much lower than in the big centres where it is proposed staff should be transferred. Staff like being there, and do not want to leave. Why pursue at this late stage an expensive policy of concentration when staff who must be transferred could come to Grimsby, where office rents are lower, where staff can live more cheaply in the real world, and where they prefer to be? The problem with Grimsby is its name—I did not give it its name—and it is anything but grim as a place to live. That should be recognised, because people can live there more economically and have a more satisfactory life in a smaller urban centre than in a big city. It is time to reverse the priorities and to bring functions and staff to Grimsby, which is cheaper, instead of driving people out as a result of the policy of concentration in larger centres.

1.45 pm

The Exchequer Secretary to the Treasury (Mr David Gauke): It is a great pleasure to serve under your chairmanship again, Dr McCrea. I congratulate the hon. Member for Great Grimsby (Austin Mitchell) on securing this debate. I am pleased to have the opportunity to explain and to discuss the Government's policy on people and estate issues, and its impact on public sector jobs in HMRC and the Valuation Office Agency in Grimsby.

I recognise and appreciate the hon. Gentleman's passion for his constituency—perhaps we should all call it the promised land—and the fact that he wants to retain as many local services, jobs and employment opportunities for the area as possible. He set out with great knowledge and understanding some of the challenges facing Grimsby, because the private sector is not as strong as he and I would like it to be.

The issue before us is that the main department, HMRC, and its agency, VOA, like others, have been going through a transformation to ensure that they operate in the most efficient and cost-effective way. That process has been taking place for some years, and further efficiencies are required under the spending review settlement. For HMRC, that also provides for reinvestment of more than £900 million to combat tax avoidance, evasion and fraud in return for a reduction in the tax gap of £7 billion a year by 2014-15. That will lead to increased opportunities in enforcement and compliance, but by 2015 HMRC overall will be operating with around 13,000 fewer staff than in 2010.

For both organisations, having the right mix of people and skills in the right-sized teams and locations is important to ensure that they can deliver the services that their customers need. Balancing the need to retain a national network of offices with consistency across operations, while building capability to handle different areas of work, is core to maintaining customer service. Both HMRC and VOA have been carrying out good housekeeping of their estates for a number of years to utilise existing space to the maximum, and that has realised significant savings. For example, VOA has reduced its estate by 25%, saving in excess of £5 million in running costs a year since 2008. HMRC has made cumulative estate savings of £239 million since 2006.

The core efficiency agenda is key to deficit reduction, and managing Government property can contribute to that. The Government's £370 billion estate costs around £25 billion per annum to run. The highly diverse estate has substantial scope for efficiency improvement, and the Government are the UK's largest landowner and largest tenant, so it is important to achieve clarity on what is expected from property and how it is to be achieved.

The Government's property unit leads the property strategy and is responsible for delivering the targeted savings, as well improving the building environment and promoting economic growth where possible. The decisions made by HMRC and VOA working together in a co-ordinated, cross-departmental way on their estates have identified savings to be made, as well as opportunities for work to remain in Grimsby. In December 2008, as part of HMRC's earlier restructuring programme, the decision on HMRC's offices in Grimsby was announced. It was decided to vacate Heritage house and retain Imperial house, the larger of the two offices. Heritage house is occupied by HMRC under a memorandum of terms of occupation with the VOA. The VOA now wishes to terminate that memorandum, and HMRC and the VOA will vacate the office by 31 March 2012. HMRC staff in Heritage house were informed of that decision on 24 March 2011.

The office closures will have an immediate impact on people in those locations, and I understand that that is a big concern for the hon. Gentleman. There are around 200 HMRC staff in Grimsby—15 at Heritage house and the remainder at Imperial house. As the hon. Gentleman has said, Imperial house has sufficient space to accommodate all HMRC staff when Heritage house is vacated. The vast majority of staff—167 people—work in the VAT directorate, and about 25 people work in the local compliance department. Local compliance work is being consolidated in Lincoln and Hull where there are established teams.

Austin Mitchell: The Minister has still not said why Heritage house is being disposed of. It is as if the place needs fumigating—there is a mass exodus. Staff from the VOA and HMRC are going, and those from the Crown Prosecution Service have fled to Hull. The building was designed to provide office accommodation for public administration staff. It is beautifully situated; there is parking; and there is a wonderful fish and chip shop nearby. Why the exodus from Heritage house? Why do the Government want to get rid of it?

Mr Gauke: The hon. Gentleman has described a somewhat idyllic scene for Heritage house, and the proximity of an excellent fish and chip shop cannot be entirely ignored. Nevertheless, HMRC has to find savings in its estate and, as the hon. Gentleman has pointed out, Imperial house has the capacity to take in additional staff. HMRC needs to find savings to be more efficient and to ensure that it is as effective as possible at collecting taxes. Together with the VOA, it has taken the view that Heritage house is surplus to requirements.

The long-term strategy for local compliance is to consolidate teams in fewer sites and place non-specific work in larger teams in urban centres. The local compliance department carries out a risk assessment of location specific work, and it assessed that there is no need for a longer-term compliance presence in Grimsby. It has stretching targets for performance improvement and must deliver those with a reduced work force. The aim is to achieve that by setting up co-located teams that will provide greater opportunity to share skills and experience. That has been happening for some years, and as a member of the Public Accounts Committee, the hon. Gentleman will be aware of recent improvements in the compliance yield obtained by HMRC.

There are similar issues for the 20 VOA staff located in Heritage house. The VOA is working towards having fewer locations nationally, each with a critical mass of staff to enable the sharing of knowledge and skills and improve efficiency. Discussions are taking place between VOA staff and their managers before a formal preference exercise in June. The consideration for HMRC is whether or not the 25 local compliance staff are able to travel to Lincoln or Hull, and they have been asked to express their favoured options by the end of May. The focus at present is on supporting HMRC and VOA staff through that change, while ensuring the continuity of service required for customers—the taxpayer or ratepayer—and in the case of VOA, delivery partners such as billing authorities.

HMRC and the VOA are seeking to avoid any job losses, and the staff consultation will enable them to explore all available options. HMRC staff unable to relocate to Lincoln or Hull will continue to undertake compliance-related work for the foreseeable future, based at Imperial house. No one who lives further away than a distance of reasonable daily travel will be forced to move. The 20 VOA staff, many of whom live in and cover properties in the Grimsby area, may be based elsewhere as a result of those decisions. It is not, however, uncommon for VOA property inspectors to start or end their day from home, if that is more effective and efficient. In addition, the VOA has made provision—subject to business need—for home working, which staff may opt for in the preference exercise. The local impacts of the change will be minimal.

The policy for both HMRC and the VOA is to avoid compulsory redundancies. They will do everything possible to help staff find a suitable role, which may be at the closest neighbouring offices or elsewhere. The VOA will continue to carry out property valuations and assessments locally, and many local staff will continue to carry out that work for Grimsby, so that local knowledge of the area and conditions will not be affected. The specific issue of ports will require specialist expertise, but it should not be disrupted by the changes.

Decisions to inspect specific properties or areas are not necessarily determined by the office location; understanding the area and having the right supporting information is key. In all cases, the decision to inspect a property or locality is made after other avenues have been exhausted and when the information required can be gleaned only by a visit.

The hon. Gentleman raised the issue of increased travel costs as a consequence of the changes. Travel costs may increase, but HMRC and the VOA believe that those increases will be significantly outweighed by savings on accommodation. The hon. Gentleman pointed out that costs are greater in Hull and Lincoln, but as far as the VOA is concerned, accommodation in those places is considerably cheaper than it is in Grimsby. The issue affects many areas, and I thank the hon. Gentleman for raising it today and defending the interests of his constituents with such passion. Nevertheless, HMRC and the VOA must make a contribution to clearing the fiscal deficit.

Austin Mitchell: This is the second survey that staff have received—the first must have been inconclusive. This time HMRC staff are not signing the option forms, because they feel that there are no alternative jobs in the tax system in north-east Lincolnshire or in other areas. The Minister has not answered the question about why jobs should not be transferred to Grimsby. It would be a cheaper centre from which to carry out non-locational work. If the work can be done from anywhere, why not Grimsby?

Mr Gauke: As I understand it, the view taken by HMRC and the VOA is that the options presented by Hull and Lincoln were more financially persuasive. Accommodation in Lincoln and Hull for the VOA is considerably cheaper than in Grimsby, and decisions were taken for those reasons and on the basis of good estate management. I know that will disappoint the hon. Gentleman, but it is important that HMRC and the VOA take a businesslike approach to the issue and ensure that assets are distributed in the most effective and efficient manner possible.

Question put and agreed to.

1.59 pm

Sitting adjourned.

Westminster Hall

Wednesday 18 May 2011

[Mr David Crausby *in the Chair*]

Human Trafficking

Motion made, and Question proposed, That the sitting be now adjourned.—*(Jeremy Wright.)*

9.30 am

Mr Mark Field (Cities of London and Westminster) (Con): It was only four short years ago that the United Kingdom reflected on the 200th anniversary of the Abolition of the Slave Trade Act 1807. At the time, among all the self-congratulatory celebration, I suggested that our renewed focus should be on refreshing our resolve to tackle the modern equivalent of slavery—human trafficking. Human trafficking involves the recruitment, transfer and harbouring of men, and particularly women and children, so that they can be exploited for forced labour, sexual services or domestic servitude. It is the most unpleasant by-product of globalisation in the labour market and now scars each and every constituency.

The modern-day slaves that human trafficking has created are voiceless and vulnerable. They are stowed in the untouched shadows of our communities. They exist not just in the seedier corners of my central London constituency or of Manchester, because the backdrop to their exploitation can equally be the sprawl of suburbia, the fields of our countryside or even the beaches that line our shores. The means of their subjugation are varied. Sometimes, there is violence, but traffickers might equally threaten to harm a victim's family; they might enslave people through debt; they might reduce them through shame; or they might manipulate them through deception.

As illicit ways to make money go, trafficking can be perceived as comparatively low risk. A busy brothel with five to 10 girls in central London, for example, can make £20,000 a week, without the violence and risk associated with the illicit drugs trade. As for those with even baser motives, trafficked victims working outside the established sex trade are attractively difficult to detect.

In putting my speech together, I was aware of the imminent publication of the Home Office strategy on human trafficking, which was promised in the spring, but which may now be released in June, owing in part to pre-local election purdah. I hope that the debate will prove timely and will, along with the strategy, help to create momentum by raising public interest and reigniting the will to tackle trafficking more robustly. I also hope that it will serve to clarify what progress the Home Office has made since October, when a number of Members, including some in the Chamber, raised legitimate questions about the Government's strategy in the debates marking anti-slavery week.

A debate that took place as recently as last Monday helped to raise the issues before us, and I hope that the Minister will not find this morning's proceedings too repetitious. I put in for this debate some weeks ago, but, alas, the unquenchable enthusiasm of the 2010 intake makes securing a Westminster Hall debate these days far trickier than it was in the past. Nevertheless, last week's debate focused primarily on the European directive on human trafficking, so I hope that we can cover some new ground today.

Tom Brake (Carshalton and Wallington) (LD): I apologise, Mr Crausby, for not being able to stay until the end of the debate. In last week's debate, a point was raised about there being an independent voice for children. Does my hon. Friend agree that it is important that there is an independent voice to support children in legally challenging the UK Border Agency, the police and other statutory or voluntary agencies, when the actions being taken are not in a child's best interests?

Mr Field: I have particular sympathy with that point, not only because children are particularly vulnerable, but because having people acting in loco parentis in the way in which my hon. Friend has described is a well-known legal process.

It is important that we do not simply use the debate as an opportunity to produce an hysterical portrayal of the problem or to condemn Governments, past or present, for a lack of progress. I accept that this is an immensely complicated issue; it obviously has legal bearings, as my hon. Friend has suggested, and it touches on many parts of our system from policing to immigration, justice, housing and social services. I wish, however, to encourage a measured debate about how we can best create an environment that is hostile to traffickers. I also want to send out a clear message that we are firmly on the side of the victims.

In discussing human trafficking, I want to pay tribute to parliamentarians past. The erstwhile Member for Totnes, Anthony Steen, has probably done more than anyone to raise the profile of trafficking at the parliamentary level. He founded the first all-party group on the issue in 2006, and he continues to work as the chairman of the Human Trafficking Foundation, which is based at Blackfriars in my constituency. I played a small part in bringing Anthony together with the City of London corporation to ensure that the foundation was based in a high-profile place in central London. I cannot hope to emulate Anthony's incredible passion for, and knowledge of, this subject, which he displayed in an extremely detailed debate that he led in the dying embers of the previous Parliament, but I hope that our discussion pays homage to some of his work.

Whenever we approach a subject such as trafficking, people inevitably demand numbers, so that they can grasp the scale of the problem. Unfortunately, as we all know, reliable statistics are difficult to come by. Some people contend that the number of trafficked victims is very low, while others contend that the figures are grossly underestimated. As a covert crime, trafficking is inevitably incredibly tricky to measure.

David Simpson (Upper Bann) (DUP): I congratulate the hon. Gentleman on this important debate, and we have had numerous debates on this issue in the Chamber. The hon. Gentleman mentioned the Government strategy that will soon be published, and I do not condemn the Government for having a strategy, but it is action that we need. Children in the United Kingdom are being sold on the streets at £15,000 or £16,000 a time, which is an utter disgrace. We surely need action and some serious penalties for these crimes.

Mr Field: I entirely agree. In fairness to the Government, it is important that we have a framework in place, but, as the hon. Gentleman has said, any framework is pointless if action does not follow. One hopes that the robust measures that the hon. Gentleman has mentioned will form an integral part of what the Government propose shortly.

There is no uniform story for those who have been trafficked. Some of the markets in which they circulate are closed to outsiders. Victims are often disconnected from mainstream society, so they find it incredibly difficult to seek help. Others may fear the consequences of coming forward, whether that is punishment by their oppressor or, indeed, the UK authorities—many victims are illegal immigrants and fear deportation, for example. Migrants do not always understand that they have been trafficked, or they may be reluctant to reveal to strangers the full picture of their ordeal. Of course, some also embellish their experiences in the hope that their case will be looked on more kindly by the British authorities.

The most recent study of the number of women trafficked into off-street prostitution, Project Acumen, released its findings last August. Conducted by the Association of Chief Police Officers, it aimed to improve our understanding of the nature and scale of the trafficking of migrant women for sexual exploitation. It estimated—as I have said, we must always include a caveat with any figures—that 30,000 women are currently involved in off-street prostitution. Of those women, 17,000, or more than 50%, are migrants, with 2,600 believed to have been trafficked. Most were not found to have been subject to violence, but many were debt-bonded and strictly controlled. A further 9,600 women were considered vulnerable, but fell short of what police officers regarded as the trafficking threshold.

Acumen examined off-street prostitution in part because it is relatively easy to identify. Its organisers have to balance subtlety with the need to advertise their "product" in a competitive marketplace. Nevertheless, criticism has been levelled at the study from some quarters. As a result, I do not intend to use it as an unimpeachable benchmark, but rather as the best, and probably the most recent, research we have in what, as I have said, is a shadowy sphere.

Emma Reynolds (Wolverhampton North East) (Lab): Is the hon. Gentleman as concerned as me about other statistics, which estimate that 80% of the 8,000 women who work in off-street prostitution in London alone are foreign nationals, many of whom started to work as prostitutes, or were indeed forced into prostitution, when they were still children?

Mr Field: I am very concerned about that issue, and I will come to it a little later. As the hon. Lady will understand, my speech focuses on my constituency, and I have become aware of the extent of this problem through my dealings with local councillors and local police in central London.

As I have said, the figures are pretty sketchy, and the grim reality of the experience tends to smack us in the face only when a case comes before the courts or because a raid has taken place in our constituencies. A recent example here in London is the grizzly ongoing case of a five-year-old Nigerian boy, who was identified only in March, 10 years after his murder. We believe that that tiny child was trafficked from Germany before being drugged and sacrificed in a ritual killing, his torso dumped in the Thames. Lucy Adeniji, a Church pastor, has been recently sentenced for trafficking two children and a 21-year-old woman to work for her as domestic slaves, locking them up and regularly beating them.

Margot James (Stourbridge) (Con): I apologise for being able to stay for only half the debate. Does my hon. Friend share my concern that with the various policing reforms we will lose some of the more targeted approaches to prosecution and the identification of victims, such as Pentameter 1 and 2 and Operation Golf, which were very effective in these difficult and complex areas of prosecution?

Mr Field: My hon. Friend makes an extremely good point, which bears witness to what I said earlier about this not simply being a policing matter but one with a focus on justice and social services, housing and the work of local authorities. The most important thing to learn is that solving the problem needs a multidisciplinary approach.

A pernicious trend emerged in my constituency of vans depositing women and children by Knightsbridge tube station in the morning to be picked up in the evening after a lucrative day's begging. A couple of years ago, police raided properties in the constituency of the hon. Member for Slough (Fiona Mactaggart) to crack down on Romanian and Bulgarian gangs who had trafficked children to pick the pockets of Londoners in my constituency and beyond.

Tackling adult trafficking is co-ordinated, as the Minister knows, by the UK Human Trafficking Centre, which was set up five years ago to bring together a range of stakeholders—police forces, the UK Border Agency, non-governmental organisations and so on. It acts alongside UKBA as one of the competent authorities for the national referral mechanism.

Jim Shannon (Strangford) (DUP): The Government have signed up to the directive on human trafficking, which is good news, but they have refused to appoint an independent rapporteur who would have overseen it and ensured that they fulfilled their obligations. Does the hon. Gentleman feel that that should be done as a matter of urgency?

Mr Field: I confess that I do. It is important, and I hope that the Minister will specifically pick up that point, because in this shadowy world beyond what one might regard as the normal scrutiny of the political process, it is all the more important that the voiceless are given a distinct voice of the kind that the hon. Gentleman has described.

The national referral mechanism is a framework for identifying victims of human trafficking and ensuring that they receive appropriate care. It essentially means that if the police, social services or NGOs believe that they have encountered a trafficking victim, a referral is made for a decision on whether they qualify for a place in a Ministry of Justice safe house for 45 days. The 45-day period is designed to allow the referred person to recover and reflect on whether they wish to co-operate with police inquiries, return to their country of origin or take other action to get their life back on track.

The situation with child trafficking victims is slightly different in having its focal point with the trafficking unit of the Child Exploitation and Online Protection Centre. Its work is assisted in the London area by Paladin, a dedicated team of Metropolitan police officers and UKBA staff based at Heathrow, who are tasked with stopping child trafficking through the entry points into London. Profiled compellingly by Bridget Freer in April in *The Sunday Times* magazine, Paladin is an absolutely tiny team with an enormous remit.

There are many deep concerns about the effectiveness of the approach being taken. UKHTC has been absorbed into the Serious Organised Crime Agency, a move criticised on the basis that the sheer size of SOCA dilutes the sense of purpose in dealing with human trafficking. With SOCA due to be replaced by a national crime agency, where do we anticipate UKHTC being placed?

Fiona Bruce (Congleton) (Con): I thank my hon. Friend for securing this debate, and I, too, must apologise that I have to leave before its end. Does he agree that the reorganisation has exacerbated the problem of the re-trafficking of victims, which needs to be urgently addressed? So many victims, who are initially secured in a safe house, are returned and re-trafficked by the very people from whom they were saved.

Mr Field: My hon. Friend has hit the nail on the head. One difficulty, even with the 45-day cooling-off period, is that a probably tragically high proportion of those who go through that process become known to the authorities later for other human trafficking matters.

The NRM has been rightly condemned for the quality of the decisions, the poor impression given to victims, the lack of an appeals process and the failure to gather comprehensive data on the scale of the problem. There is concern, too, that insufficient resources are directed at policing teams. In April 2009, for example, the Home Office decided to discontinue funding for the Met's human trafficking unit—the only specialist police human trafficking unit in the country. The Met has since allocated a portion of its own budget to continue its trafficking work and to set up specialist crime directorate 9, which is the human exploitation and organised crime unit. I recently met Detective Superintendent Mick Duthie to discuss his work. There are now 38 people in his team, but their remit takes in not only trafficking, but a range of other street problems, vice, kerb crawling, casino fraud, money laundering and obscene publications, which, as one might imagine, are massive problems in their own right in the mere 6 square miles of my constituency. One wonders whether the other problems are crowding out trafficking.

We all appreciate that these are times of great financial austerity, and there is no realistic expectation of huge additional funding any time soon. The SCD team tries to be creative by setting up joint investigation teams and applying for EU funding streams, for example, but there are huge budgetary pressures, not least as trafficking investigations tend to be complex and lengthy, with overseas elements adding substantially to the costs.

Detective Superintendent Duthie is convinced that more must be done to educate police officers, local authorities and health workers to spot the signs of trafficking. Sometimes, the different teams that come into contact with victims do not get the right information from them or pick up the trafficking indicators.

Fiona Bruce: My hon. Friend has referred to local authorities, and one local authority department that has an eagle eye on what is going on in property is the planning or development control department. Perhaps we have missed a trick in not involving them in the partnership working of locating properties in which such activity is happening.

Mr Field: My hon. Friend is right. She has a background as a lawyer, and I am sure that she dealt with such problems on a day-to-day basis in her former career. As I see in my constituency, the reality is that agencies are generally only alerted to these issues when there is a tip-off from local residents—for example, we have all been contacted by people who live next door or very near to a brothel. I suspect that a significant number of safe houses—safe from the perspective of traffickers—operate for months or years without being detected.

Fiona Bruce: Those properties are often residential properties in which a business is being run, and if that happened with many other types of business, the local authority would take immediate action due to the contravention of planning legislation. More initiative and activity from planning officers in that respect would greatly assist us.

Mr Field: My hon. Friend's point is well made, although, without wishing to defend the planning officer fraternity too much, I suspect that the phenomenal financial constraints that most local authorities find themselves under mean that they are not necessarily prioritising this area, but it is important that we put those concerns on the record.

Tom Brake: My hon. Friend is being generous in giving way. He has discussed different organisations needing to be educated about the problem, so that they can tackle it more effectively. Does he agree that when the elected police and crime commissioners take responsibility for policing, it will be essential for them also to understand the importance that people place on tackling human trafficking? That should not be neglected.

Mr Field: I am not sure that I want to go too deeply into concerns about precisely where that legislation goes, not least given yesterday's comments by the Deputy Prime Minister, but my hon. Friend is absolutely right. If one considers the populist element of electing police commissioners, I hope that everyone—not only MPs, but interested residents, constituents and citizens—will make it plain that the problem needs to be tackled; indeed, it might be part and parcel of the manifestos of would-be candidates for such a role.

The Government have declared human trafficking to be a coalition priority; I mentioned earlier that we await a new strategy that will shortly step up our efforts in that regard. We recently put our name to the EU directive on trafficking, so the UK has signed up to various obligations. Nevertheless, and without wishing to pre-empt the strategy, I want to put some of my thoughts to the Minister.

It is quite clear from my work on the subject that the current disparate, multi-agency approach has a multitude of fundamental flaws. I have alluded to some of those flaws, which others also recognise. Some are the result

[Mr Mark Field]

of the inherent difficulty in dealing with such a complex and varied problem. However, the Government should consider making a few reasonably small improvements.

The notion of a one-stop shop was put to me by Detective Superintendent Duthie as a means of improving the treatment of trafficked victims and the collection of intelligence. Victims tend to have a variety of needs, and at the moment they are dealt with by a huge range of organisations based in different places. A one-stop shop—a human trafficking centre, as it were—might assist in dealing with health, housing, legal aid, counselling, immigration, repatriation, family reunification and more. I wonder whether the Minister would let us know his thoughts on that idea.

When researching the subject in advance of this debate, I was struck by the poor information available on the internet of all places. If I were a trafficked victim, the first resource that I would use to find a way out of my situation would be the internet. Although a one-stop shop might be seen as too expensive, has the Home Office or any other body considered setting up a presence on the internet that would provide easy, comprehensive and readily available advice to trafficked victims on how to report their experience and, more importantly, how to escape? As things stand, information is dotted across a range of sites, which is incredibly confusing.

Earlier, I mentioned Paladin, the police unit tasked with identifying trafficked children at London's ports. Concern has been raised by the recently ennobled Baroness Doocey about alternative trafficking routes. Her fear is that Paladin's vigilance at Heathrow and other points of entry might persuade traffickers to use other routes; in particular, she is concerned that there are no specialist child protection officers working full time at St Pancras, even though that station is within Paladin's remit.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing this debate. He has touched on routes into the UK. Does he agree that we also need to establish the source from which many of the unfortunate victims of trafficking come? If it includes the small number of nations that have recently joined the EU, we need comprehensive discussions and negotiations with those member states to ensure that the tap is switched off at source.

Mr Field: I entirely agree with the hon. Gentleman. It would be wrong to suggest that the entirety of the problem is caused by the 10 nations that joined the EU over the past seven years, particularly Romania and Bulgaria, to which I referred earlier. However, it is clearly a substantial problem, and the relatively open borders in much of the EU play a part.

I was discussing St Pancras. Eurostar has relatively lax controls, and children under the age of 12 can travel unaccompanied from Brussels and Paris, so long as they have a letter from the parents or guardians. Have the Government considered making points of entry more robust, not only at St Pancras but in those parts of the country not covered by Paladin?

Turning to the EU directive, one of its key requirements is to provide every trafficked child with a court-appointed guardian to look after their interests. That idea, which was championed by Anthony Steen, was referred to earlier by my hon. Friend the Member for Carshalton and Wallington. I note from last Monday's debate that the Minister is not convinced of that route, believing that local authorities are best placed to fulfil the guardianship role. With local authorities under the most enormous budgetary pressure, how will the Minister ensure that that duty is being fulfilled, and can he convince all stakeholders that the Government are not merely absolving themselves of responsibility?

I am reminded of the problems encountered by my local authority, Westminster city council, where there was a marked increase in homelessness following EU enlargement in 2004 and 2008. It had terrible difficulty extracting additional funds from the Home Office to deal with the localised effects of a national policy. As a quick aside, I secured a debate here some four years ago and the Home Office—at that juncture we had a Labour Government—mysteriously arrived an hour before the debate with cheque in hand. I accept that these things can happen—

Mr Denis MacShane (Rotherham) (Lab): I hope it happens again.

Mr Field: That is wishful thinking. It would probably have to be the right hon. Gentleman making the speech.

In a similar way, the matter of trafficked children is probably bearing more heavily on certain local authorities. For example, I imagine that the London boroughs of Hillingdon and Hounslow take a great number of the children that come through Heathrow. If the guardianship role is to be taken on by local authorities, will the Minister assure hon. Members that, if there is evidence of certain areas being badly affected, those local authorities will be adequately funded and not be forced to choose which of the competing aspects of child protection to fund?

I have referred to the Government's commitment to making human trafficking a coalition priority, but there is concern that the slipping time scale for producing a robust anti-trafficking strategy is pushing some of the best experts away. The Minister may have seen a report by Mark Townsend in *The Guardian* this weekend on the loss of key UK staff in this area—it is an excellent piece. A former police officer, one of the most senior figures involved in investigating trafficking, reportedly stated that one of his greatest concerns is the lack of continuity in the Home Office team. Mr Townsend also highlighted concerns that the inter-ministerial group on trafficking has met only once. I would appreciate hearing the Minister's response to these specific criticisms.

Does the Minister believe that an independent rapporteur to track our progress on tackling trafficking—such an appointment was suggested last Monday by my hon. Friend the Member for Wellingborough (Mr Bone)—might prove useful in reassuring those who criticise the Government by introducing a genuine sense of accountability?

In last October's Westminster Hall debate, it was suggested that we should have a Pentameter 3, Pentameters 1 and 2 being two police operations to raid brothels, massage parlous and private homes where trafficking was suspected. The idea is that Pentameter 3 would send out the message that we are and continue to be tough on traffickers. The fact has been highlighted that precious few operational police units specifically target trafficking. I appreciate that those matters are essentially operational police matters, but I wonder whether the Home Office has had discussions with the police teams.

Yet more issues could be covered today, such as the role of the Crown Prosecution Service, the responsibilities of local authorities and details of how the UKHTC operates. Unfortunately I do not have time to touch on them, as others wish to speak.

Without being able to assess accurately the extent of the problem, I accept that it is difficult for any Government to be sure of the level and type of resources that are best suited to tackling it. It is all too easy to ignore trafficking. In short, if we do not go looking for the victims, we can too easily pretend that they are not there. When money is tight, the problem can only get worse. I sincerely hope that today's debate will give some small voice to that forgotten group of the most vulnerable in our midst, and that it will provide the Government with an opportunity to reassert their commitment to rooting out this most despicable ill.

9.58 am

Mr Denis MacShane (Rotherham) (Lab): I congratulate the hon. Member for Cities of London and Westminster (Mr Field) on securing this debate and on making an excellent speech. I should make it clear at the start that I consider this an all-party matter, but the fact that it is an all-party campaign does not mean we should let the Government off the hook.

I have been enjoying reading the Foreign Secretary's biography of William Wilberforce. There are some parallels. Wilberforce started his campaign to eradicate slave trafficking in the late 1780s. It took a long 20 years—with ups and downs such as fighting a little war against Napoleon, and having to divert money to other causes—before the legislation came into effect, and a number of decades passed before other countries followed suit.

We are at the start of a long campaign, and certain fundamental issues must be addressed. I invite the Minister, who has a wholly responsible approach to this matter, to reread his speech to the House of Commons in 2008 in which he made a powerful plea for guardianship, an increase in resources to the Human Trafficking Centre, and more joined-up work between local authorities and the police—all the points that were made by the hon. Member for Cities of London and Westminster. It was a compelling speech in which he attacked and criticised my right hon. and hon. Friends who were then in the Home Office.

Sadly, the Minister is now in the position of having to resile, deny and turn back almost everything that he called for at the time. We have shut down the UK Human Trafficking Centre. Pentameter is no more, and we will not appoint a guardian. After six months of campaigning—I pay tribute to my hon. Friend the Member for Wolverhampton North East (Emma Reynolds) for that—we have signed up to the EU directive, but without the core element in it of a rapporteur. However, we cannot sign up to a directive without finding the resources to give effect to it. Moreover, it requires us to work collaboratively across the European Union. There again, for good or ill, we have a Government who prefer not to work collaboratively to build a stronger EU and stronger cross-border policing and judicial procedure.

The hon. Member for Derry—*[Interruption.]* Forgive me—given my particular Irish descendancy, I cannot easily stick "London" in front of "Derry". The hon. Member for East Londonderry (Mr Campbell) said that we must be robust with the new EU member states and any others that may be trafficking people into this country. I agree with him, but is not the real robustness that we need on the demand side? These women—girls, children even—are here only because honest British men think that if they put down £20, £30 or £50, they have a God-given right to the use of a woman to put their penis into at will. I am sorry to use such strong language, but we must face up to the fact that unless we tackle demand, the supply will continue to increase, and all the words that the Minister will say—I do not for a second doubt his sincerity and I understand that he is working within terrible financial constraints—will come to nought and we will be having this debate next year and the year after that.

We have laws. Without opposition from the Minister, who was in his shadow post at the time, my hon. Friend the Member for Slough (Fiona Mactaggart) and other former Ministers changed the law to say that it is a crime to pay for sex with any person who may have been coerced or forced to work as a prostituted woman. To my knowledge, and I stand to be corrected, there has not yet been one single arrest, prosecution or conviction using that new law. The police have the ability to go into massage parlours and brothels—they are not that hard to find; a couple of phone calls and they can find where to go—and challenge the men and put them in front of magistrates courts. Those men should be named and shamed. It is not just a certain French gentleman in New York who should attract all the attention—and yes, I know that he is innocent until proved otherwise. There are hundreds upon hundreds of thousands of British men who are clients of this trade. They are providing the demand and the money. The police must be asked why they have not used their powers.

I regret the shutdown of the different police agencies dedicated to trafficking and their absorption within the Serious Organised Crime Agency, which is to face a further dilution. The police are there with every energy in the world to tackle driving offences and to find out how many points somebody has or has not got on their licence, and to take part in other worthy investigations. None the less, the language of Government should be the choice of priorities. I put it to my colleagues here and to the Minister—not in a critical way—that the police have not focused hard enough on this matter. We do not know the figures and I do not want to enter into the figures debate. The hon. Member for Cities of London and Westminster cited some that were available, but as he acknowledged, they have been widely criticised by other expert groups. We could have a row on figures, but suffice it to say that we are talking about a substantial number; it is not just one or two people, as this odd organisation the English Collective of Prostitutes claims, with occasional support from journalists as well.

We need a rapporteur. Appointing an individual and giving them a task to achieve can change policy. We need to have a guardian for each child taken into care. I can produce the figures on the children who disappear from care. Children are put into care in Hillingdon, from Heathrow; their traffickers come round, and out they go through the door—obviously we cannot lock up a child—to work as sex slaves.

[Mr Denis MacShane]

Moreover, we must change the culture of making the victims of trafficking into associate criminals. The approach of the Home Office and the UK Border Agency is to catch and deport. The figures can then be produced. It happened under Labour because of the mass hysteria from some organisations and the right-wing press. Almost any foreigner in Britain was unwelcome; it was said that there were too many of them. We have this tick-box culture of wanting to report the numbers that have been deported. Of course, women are the most vulnerable; they are easy to catch and deport.

Margot James: The right hon. Gentleman makes some good points about how the system treats children. Is it not a scandal that according to ECPAT, children are more likely to be convicted of offences—often they are forced through their trafficked status to commit offences such as growing cannabis—than the perpetrators themselves?

Mr MacShane: It is a scandal, and I am grateful to the hon. Lady for making that point. This question of criminalising the victims is one that should shame us. I know that it is hard because everybody loves to kick the immigrant, the asylum seeker, the economic migrant and the person here without papers, and they are easily victimised. We even had the noble Lord Glasman saying in *Progress Magazine* that Labour lied about immigration. He is a Labour lord accusing the Labour Government of telling lies. We may have got some things wrong, but he was expressing the notion that Ministers had lied. That was the language of the election and it is a culture that we need to change.

In his 2008 speech, the Minister eulogised the work of Eaves and its POPPY project, which was a standard-bearer and a model. The Conservative party was right behind it and called on the Government of the day to give it more resources. I am now extremely distressed to find that Eaves is being shut down and its money handed over to a religious organisation that has its proselytising and evangelising duties. I have worked closely with many church charities, so I am not condemning it. None the less, we now have a mono-religious organisation, the Salvation Army, being told that it must be in charge of women from different cultures and different faith backgrounds. I am not criticising the Sally Army for one second; it is a great outfit. However, it is not appropriate for it to replace the Eaves organisation and its POPPY project.

The Salvation Army wrote to MPs—I do not know if it wrote to all MPs or just those who are interested in combating human trafficking—to say that it is now going to transfer hundreds of thousands, if not millions, of pounds to an outfit called STOP UK. I have tried to find out about STOP UK. It has a website, but that is all. It has no publications and there is no board of directors. It has a chief executive whom I think works in the Serious Organised Crime Agency. One of the big problems with victims of human trafficking is that they need to be dissociated from potential police and criminal investigations for being prostituted women. STOP UK has a couple of people with mobile phones, and I tried to call them. It has an office somewhere in south London. I do not doubt the sincerity of the outfit, but it is almost virtual and the Government, having shut down the support for Eaves and the POPPY Project, are now potentially giving it hundreds of thousands, if not millions, of pounds. I put it to the Minister gently—I respect him—that that is opening the way for a scandal further down the line.

I also worry that the National Register of Unaccompanied Children, which was set up in 2004, has been shut down. Why? We have still got children leaving care—in Rotherham, Hillingdon, London and elsewhere—and we also have the problem of unaccompanied minors coming into the UK. My view is that no airline should be allowed to fly somebody under the age of 14, possibly even under 16, if they are unaccompanied. There is also the problem of St Pancras. We had the remarkably complacent answers in the Lords from the noble Earl Attlee, saying, "Oh, there's no problem, they're all checked when they get on the train and go through passport control in Paris or Brussels." For heaven's sake: any of us who have gone through the maelstrom of getting people on to the Eurostar train as quickly as possible know that the notion that the hard-working officials in Paris or Brussels—I do not criticise them—are spotting potentially trafficked children is ludicrous. It is exactly that complacency that is the problem.

I will finish there, as other colleagues want to speak. There are other points that I want to make, but I think there will be further debates on this issue. My sense is that the House of Commons is seized of this issue. My hon. Friend the Member for Wellingborough (Mr Bone)—I call him my hon. Friend and my colleague—is not here in Westminster Hall today, but he is one of my heroes because he is working so hard on this issue, as did Anthony Steen. Indeed, Anthony Steen is still continuing his work on combating human trafficking. I have visited his offices down at Puddle Dock, and I thank the hon. Member for Cities of London and Westminster for helping to arrange those very good facilities there.

I put it to the Minister that the debate on this issue will continue, and I invite him to make a name for himself on it. I also invite him to read the Foreign Secretary's biography of Wilberforce, and to try to put himself in the shoes of that great Yorkshire MP at the end of the 18th century. Everybody, independently of party affiliation, will appreciate it if there is substantial change on human trafficking on this Government's watch. However, as is apparent from the points I have made, I am concerned that we are going backwards, not forwards, on this issue.

10.13 am

Emma Reynolds (Wolverhampton North East) (Lab): Thank you, Mr Crausby, for calling me. It is a great pleasure to serve under your chairmanship.

I want to start by applauding the work of Members—current and former—from all parties in this House who have championed the fight against human trafficking. I was elected just over a year ago, and there have been many opportunities since then to debate this issue and to raise concerns with the Minister responsible for dealing with it.

As was outlined by the hon. Member for Cities of London and Westminster (Mr Field) in his excellent opening speech, the slave trade was abolished in our country 200 years ago, but another form of slavery has emerged since then. It is a more clandestine and underground form, but it is just as insidious and brutal. Unfortunately, it is also pervasive in modern Britain.

Thousands of vulnerable people, mostly women and children, are being trafficked into our country this year. As the hon. Gentleman said, we do not have a grip on the figures for the number of people involved. Nevertheless, behind the figures are real lives. Tragically, many of these women and children come to the UK on the promise of a better life, only to find on arrival that they are imprisoned and forced into slave labour or prostitution. The criminal gangs and pimps who trade these women consider them to be like second-hand cars—like a commodity. According to some estimates, each sex trafficker earns an average of £500 to £1,000 per woman per week. It is the most unimaginable treatment of one human being by another, that they should think of people and treat them in this way.

The Observer recently highlighted the case of a 17-year-old woman, Marinela Badea, who was abducted from Romania, trafficked to Britain and forced into prostitution. She was repeatedly raped, violently abused and held captive. Her experience is indicative of what happens to thousands of trafficked women in our country and across the developed world. It is a great victory that her traffickers are now serving the longest sentence for human trafficking ever imposed in British history, but it is extremely rare for the perpetrators of this horrible and hateful crime to be caught and brought to justice. Prosecution rates are pitifully low, and proactive policing operations to root out trafficking, such as brothel raids, are apparently being scaled down.

Like other Members, in all parties, I am concerned that the Home Office is not doing enough to tackle this most egregious human rights abuse. The new anti-human trafficking strategy, which was promised earlier this year, is late. Can the Minister explain why there has been a delay, and say when we are likely to see it? I echo the comments of Members from all parties: the words in that strategy and in the new EU directive on human trafficking, which the Government have finally opted into, are welcome. However, it is the actions taken because of those words that count, and by which we need to judge them.

The hon. Member for Cities of London and Westminster made such an excellent opening speech that I fear I might repeat some of the points he made. Nevertheless, I want to echo what he said about the concern, expressed in recent reports, that key specialists in this field have left the Home Office human trafficking team. As the hon. Gentleman said, there is real concern at the lack of continuity among the staff taking on this important issue. Moreover, the inter-ministerial group on human trafficking has met only once since the election of the present Government. What does that say about this Government's resolve and seriousness regarding human trafficking?

There is also evidence to suggest that many victims escape their traffickers but are then classified as "illegal immigrants"—a problem outlined by my right hon. Friend the Member for Rotherham (Mr MacShane). We must ensure that that does not happen. Can the Minister reassure the House that something is being done to ensure that victims are properly identified and treated as such, rather than being put down as "illegal immigrants" when they are in fact brought here, often against their will, and forced into the most horrendous type of work?

I want to say more about the protection of victims, which my right hon. Friend the Member for Rotherham also mentioned. I am deeply concerned that the POPPY project's funding has been withdrawn and given to another organisation that I am not sure has the project's specialism and experience in helping the victims of trafficking. Human trafficking is a hugely complex issue, and it is sometimes very difficult even to help these women talk about their experiences, because they have been so violently abused. I worry about the rationale for withdrawing the funding for the POPPY project. Can the Minister explain why the funding was stopped for that organisation, which has great expertise in this field?

I turn to the Olympics. International sporting events are a magnet for pimps and traffickers—that is the evidence from elsewhere in the world when there have been Olympics or World cups. Can the Minister say what measures the Government are taking to ensure that the rise in demand for prostitution as a result of London's hosting the Olympics next year—and, therefore, the rise in human trafficking that will also unfortunately happen—will be dealt with? Have the Government considered whether they could work with hotels and, if so, how? Hotels often turn a blind eye to prostitution, and the Government could raise their awareness of the fact that many women in prostitution have been brought across borders and forced into it.

Now, 200 years after the abolition of the slave trade, this Government and future Governments have a great responsibility to root out this modern, pervasive form of slavery. I would like reassurance from the Minister that the Home Office and the wider Government are taking the matter seriously enough.

10.20 am

Michael Connarty (Linlithgow and East Falkirk) (Lab): It is a pleasure to be here under your chairmanship, Mr Crausby. I compliment the hon. Member for Cities of London and Westminster (Mr Field) on his excellent analysis of the issues, particularly of prostitution, and of the scale of the problems we face in dealing with what is a very well organised, multinational business in the criminal fraternity. Sometimes that business has technologies way beyond those available to even the forces of Government.

No community is untouched by the problem. Small, peripheral communities on the edges of cities are very attractive to people who are trafficking and setting up brothels. It is amazing where brothels pop up, and how ill-equipped the police are to distinguish between communal living by immigrant workers and the very common phenomenon of people being used for sexual exploitation—people who go into the cities in the evenings to ply their trade and come back to live in houses of multiple occupation.

The debate is about not just prostitution but all types of human trafficking, and I will make my speech in that context. The question for me, and for the Minister, is: are the Government equipped to carry out the responsibilities that they are about to take on by opting into the human trafficking directive and signing up to

[Michael Connarty]

the directive on sexual exploitation and abuse of children? There are very serious concerns about that. In a debate in the House on 9 May, the Minister said:

> "We are confident that the UK is compliant with those measures."—[*Official Report*, 9 May 2011; Vol. 527, c. 977.]

He was talking particularly about measures to do with trafficked children, and I want to challenge him on that statement. I do not believe that the UK, using local authorities under the present arrangements, is equipped to deal with the problem of the trafficking of children, many of whom are trafficked for other reasons but many of whom, sadly, are trafficked for sexual exploitation of various kinds.

I refer Members to the article in *The Sunday Times* of 3 April 2011 about a woman who was multiple-trafficked—three or four times—in and out of the UK and back to her home country. She was treated as a criminal and not as a victim, and that also happens with children. On Sunday 15 May 2011, *The Observer* highlighted something that we have been aware of in the all-party group on human trafficking: the collapse of the Home Office structure to focus on human trafficking. The hon. Member for Cities of London and Westminster talked about the specialist police force, which has been absorbed—some say swamped—due to the changes that the Home Office is making.

The all-party group had a meeting last week, during which we were supposed to be addressed by the director who was setting up the response from the Home Office and the UK Border Agency, but we received an apology saying that he had been sacked seven weeks previously as part of the cuts in the Home Office. So the person who is organising the team has gone, and the people who are supposed to be in it have gone. Where are the Government travelling? They are travelling in one direction, because of political pressure, into the EU directives, but in the other direction they seem to be stripping away the very facilities we require, and that troubles me.

ECPAT UK is very keen on having formal guardianship that is not just a local authority's social work department being given charge of young people and putting them into what Barnardo's referred to, when it spoke to the all-party group two or three weeks ago, as "just bed and breakfasts". The young people are not supervised, and many of them run away and are picked up and trafficked into some other environment.

There is a huge ring in the Chinese community. Respectable Chinese businessmen that we meet in our business community meetings often use people who have been trafficked from mainland China, and do not pay them. One man, who came to see me after a speech, had been trafficked out of mainland China 11 and a half years previously. He lives in communal housing. He has been moved all over the UK and now lives in a house in Armadale in my constituency—now that I have said "Armadale", he will probably be whisked away somewhere else. He does not receive wages; he is told that he is still paying back the cost of his trafficking. There are thousands like him: every time one of my local restaurants is raided, trafficked people are found. The industry is massive, and we are not equipped to deal with it with the facilities that we have.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): My hon. Friend makes a compelling argument for the Government looking seriously at the issue of a formal guardianship programme for children.

Some of the statistics have worried me. I am sure that my hon. Friend is aware of the 2007 ECPAT UK report that found that of 80 children trafficked over an 18-month period 56% had gone missing from the north-east, the north-west and the west midlands. That shows the scale of the problem, and although the report is from 2007 I do not believe that things have improved much since. A 2009 Child Exploitation and Online Protection Centre—CEOP—report identified 325 potential victims, 23% of whom have gone missing without trace. It is unacceptable to carry on with that situation.

Michael Connarty: If we had the facilities and the teams, those statistics would pop up in any region in the UK. Voluntary organisations that are in touch with such people, but are not formally responsible for them, can give a large number of worrying figures.

ECPAT UK points out that children from China, Vietnam and Nigeria are consistently ranked highest in CEOP national referral mechanism statistics, but there have been no trafficking convictions of people who traffic child victims from any of those countries, and there are no specialist child trafficking police units left. More trafficked children have been convicted by the courts for cannabis-related and other offences than have child traffickers for trafficking, as the hon. Member for Stourbridge (Margot James) said earlier. CEOP, the only Government agency to produce reports on child trafficking, has disbanded its child trafficking unit, and the United Kingdom Human Trafficking Centre has never published any reports on child trafficking. The Government say that they are going to go in and match the best in the EU, if not the world, but they are ill-equipped to do so.

I wish to refer in more detail to something I have mentioned a few times in debates: the report of Scotland's Commissioner for Children and Young People. Despite being a commissioner in Scotland, the commissioner is part of the UK structure. I hope that the Minister has read the April 2011 report, because it has recommendations for the UK Government. It expresses deep concerns about having multiple responsibilities in the UK Border Agency, and states that with guardianship there is conflict regarding the responsibilities of local authorities.

The report recommends that the UK Government should have a rapporteur and go and look at other European countries that have such people to look at Governments' performance and oversee whether they are just all talk and no action. It also recommends a guardianship scheme, and clearly refers to the overarching responsibility that we have because we signed up to the Council of Europe convention on sexual abuse and exploitation of children. We have, however, not ratified that convention, and can therefore avoid doing anything. We have put a signature on paper, but have not followed it up with resources.

I hope that many of the report's recommendations will be considered, including that for an independent rapporteur on trafficking. The report also suggests that the Government should consider the values of the guardianship scheme being run as a pilot by the Scottish Refugee Council and the Aberlour Child Care Trust and seek a guardianship that satisfies ECPAT's expectations without necessarily being as burdensome as the Government think it will be.

Apart from words on paper, will the Minister give us some examples of why the Government believe that they are capable of dealing with child trafficking and some indication that we can train police forces to see it not as an extra but as fundamental to their duties? They must see trafficked children as victims—I mean children up to the age of 18, not just children of four or five, or as young as Baby P—and treat them as victims, which means looking after them properly.

10.30 am

Fiona Mactaggart (Slough) (Lab): As is usual on this subject, we have had an excellent debate with a great deal of consensus among Members of all parties. I thank the hon. Member for Cities of London and Westminster (Mr Field) for bringing this subject before the House once again. As he pointed out, it was an accident that we discussed it only last week, but it is often helpful for Members of Parliament to be able to follow up on a previous debate. Some issues in the last debate were not resolved, and I hope that when the Minister responds, we will hear some of the answers that have been re-requested during this debate.

I welcomed the hon. Gentleman's call for a multi-agency, one-stop approach. I agree that we need a strategy: not just broad aims, but specific commitments. In order to deliver that as the House and society would want, we need a rapporteur of sufficient independence for everyone to have confidence in the information that they produce. I welcome all those aspects of his remarks.

My right hon. Friend the Member for Rotherham (Mr MacShane) reminded us that to tackle trafficking, we must have an effective strategy for driving down demand for the products of trafficking. I was concerned to hear his remarks about STOP.UK, and I hope that the Minister will deal with that in his response.

My hon. Friend the Member for Wolverhampton North East (Emma Reynolds) reminded us that the women and children involved in trafficking are treated as commodities, like used cars. It is not enough for us to say the right words across parties; we need action to tackle the problem, and specifically action to prevent the threat from coming to London along with the Olympics in a year's time.

My hon. Friend the Member for Linlithgow and East Falkirk (Michael Connarty) remarked on the Home Office's problems in managing the process and advised us of the opportunity to consider whether what Scotland is doing on child guardianship can provide models or lessons for the rest of the United Kingdom.

In my view, we are a little complacent about our quality of victim care. I was rather shocked to read a research report by the London School of Economics and the university of Goettingen suggesting that the United Kingdom was less effective than Albania at tackling human trafficking. The reason why the report came to that conclusion involved our treatment of victims. Most of the study was done while the POPPY project, which we all admire, was providing victim services, but the researchers felt that the UK habit of convicting the victims of trafficking—we have heard about children being convicted of cannabis cultivation, for example—means that the quality of our trafficking strategy is less good than that of many countries that we would expect to outperform.

Mr MacShane: My hon. Friend mentioned the London School of Economics. Is she aware of its feminist political theory course, taught by Professor Anne Phillips? In week 8 of the course, students study prostitution. The briefing says:

> "If we consider it legitimate for women to hire themselves out as low-paid and often badly treated cleaners, why is it not also legitimate for them to hire themselves out as prostitutes?"

If a professor at the London School of Economics cannot make the distinction between a cleaning woman and a prostituted woman, we are filling the minds of our young students with the most poisonous drivel.

Fiona Mactaggart: I share my right hon. Friend's view about those attitudes. I hope that the LSE provides sufficient contest to Professor Phillips's frankly nauseating views on that issue.

To return to victim care, one of my absolute concerns is that victims should be supported to be identified as victims. I am anxious that the national referral mechanism requires a referral, through a multi-tick-box questionnaire, by an appropriate authority, does not accept all attempts at referral and does not always make good decisions. During our recent debate, I asked the Minister whether he would ensure that the new victim care organisations—the Salvation Army and its subcontractors—were supported in challenging decisions under the national referral mechanism if victims were not initially identified as such, and that they were funded to support those people. The experience of the POPPY project is that many trafficked victims were not originally given reasonable-grounds decisions or conclusive decisions on their trafficking status.

The Minister reminded me that

> "support providers are asked to, and helped to, provide information about victims' experiences and circumstances to the competent authority precisely to ensure that the correct NRM decision is reached".—[*Official Report*, 9 May 2011; Vol. 527, c. 994.]

I hoped, in the cut and thrust of debate, that that was a positive answer, but my view on reflection is that it is not. I would like a specific commitment from him today that if an organisation supporting a victim helps that victim challenge a decision by the NRM, it will be funded to support the victim. One of the tasks of such organisations, if they believe professionally that someone is a victim of trafficking, is to advocate on their behalf with the competent authorities. I hope that he can give us that assurance.

In addition, I am concerned, as are other hon. Members, about the transparency of the process. The Serious Organised Crime Agency has not produced an annual report since Jacqui Smith was Home Secretary. We do not have any compelling data about decisions under the NRM or enforcement actions taken by police. One reason for calling for a rapporteur is to ensure that such data exist.

The Minister suggested that the role of rapporteur could properly be fulfilled by the inter-ministerial group, the NRM and the United Kingdom Human Trafficking Centre. At the moment, that is not happening. Will he make a commitment during this debate to a specific mechanism for ensuring transparency? Unless we have

[Fiona Mactaggart]

a formal rapporteur charged with providing that transparency, we cannot properly interrogate what the Government are doing.

A specific example is the disappearance of children from care, which Members have mentioned. If we believe that local authorities are providing adequate guardianship services, can we please have a national study of how many trafficked children are in local authority care and of which local authorities lose children and how many, and a report to Parliament on how those issues are handled?

The Minister makes a reasonable point when he says that it is possible for the directive's guardianship requirements to be fulfilled by local authority responsibilities. I think that that could be possible. I am not saying that his decision to do that is mere penny-pinching—although it obviously is, partly because of pressure on funds—but it cannot be done under the present arrangement, because so many local authorities are, frankly, incompetent in this area. We do not know how many are involved or which ones are making good progress. I hope that the Minister will commit to that, because without that kind of transparency, any claim to fulfil a rapporteur-type function is unfounded.

My final concern relates to the role of the police. My hon. Friend the Member for Linlithgow and East Falkirk mentioned how Vic Hogg was invited to address the all-party group on the trafficking of women and children, but did not turn up because apparently, at the last moment, he did not have a job. I have spoken to representatives from civil society organisations involved in this field. They feel that meetings with the Home Office to discuss the strategy have been frustrating, disorganised and unclear.

I do not believe that the Minister wants a disorganised and unclear strategy—I am not accusing him of a deliberate policy. Nor do I believe that he wants to exclude those excellent organisations—ECPAT UK, the POPPY Project, the Salvation Army, the Medaille Trust and so on—from contributing to the strategy. I am concerned, however, that there is a real risk, because the former strategy was extremely specific and connected police operations, which have been the most powerful way of discovering the extent of trafficking.

The hon. Member for Cities of London and Westminster has pointed out how the research is not very good, because the subject is an illegal activity. Actions by the police have been more effective. They have illustrated more powerfully the range of trafficking and where it is to be found, and have led to some successful prosecutions. I am concerned that, at present, we do not have any nationally directed operations, and that the consequence of that will be that we will lose expertise among the police.

I hope that the Minister can reassure us that, even if the Home Office does not wish, at present, to direct police forces to mount those kinds of national operations, it will support and enable them to do so. Without Operation Golf, the excessive trafficking of children from the town of Tandarei in Romania, many of whom were trafficked into my constituency, and the grotesque profits made by criminals in that town, would have continued unabated.

Strategic national interventions that are properly directed can protect people more effectively than a strategy and the warm words that we are able to produce in this Chamber. I believe that we are all on the same side, but we need a strategy to ensure that the shared ambition to eradicate this modern form of slavery actually works in practice.

10.43 am

The Minister for Immigration (Damian Green): Like others, I congratulate my hon. Friend the Member for Cities of London and Westminster (Mr Field) on securing this debate, which, interestingly, follows a previous debate on this issue. I should point out that it was not an accident that the Government called that previous debate, because I made a commitment that we should have proper scrutiny when we decided to opt in to the European directive.

This is a matter of undeniable significance to both Houses. Many thoughtful points have been raised today, along with one or two slightly less thoughtful ones. I pay tribute to my hon. Friend and to Anthony Steen—it has become almost compulsory and certainly de rigueur to pay tribute to him in debates such as these—for all his work. I also thank the hon. Member for Slough (Fiona Mactaggart), who speaks for the Labour party, for her extremely constructive and thoughtful contribution. She and I disagree about individual details, but what she said at the end of her speech is exactly right. We all need to be—indeed, we all are—fundamentally on the same side on this issue. We are discussing how best to eradicate trafficking as much as possible. My hon. Friend said in his introductory remarks that it is much better to conduct this debate in terms that are not hysterical, which, as we progress, will be important not only for our debates in this House, bur for debates among wider groups that are concerned about the issue.

A wide range of issues have been raised this morning. Members have reflected on the complex nature of tackling human trafficking. Many have acknowledged the challenges inherent in tackling this appalling crime. Britain has a good record, under Governments of all hues, of tackling it, and this Government intend for that to continue. I am, however, happy to acknowledge that we can always improve. Indeed, it is striking that, while many Members have paid tribute, as do I, to the work of the POPPY Project, the hon. Member for Slough produced a report that says that Britain is doing worse on victim care than Albania. I think that that point was designed to gain an effect rather than to offer a truthful analysis of what is going on, but it illustrates the complexities and difficulties.

The Government are rising to the challenge of developing more sophisticated ways of tackling traffickers in the changing landscape of organised crime, while continuing, of course, to care for the victims of this trade in human misery. I listened eagerly to many of the contributions. It is clear that the subject of trafficking is close to the hearts of many Members. I acknowledge the point that our work should be transparent and responsive to criticism, when that criticism is well founded.

Mr Field: Does the Minister accept that one of the key problems that we all face in our efforts to raise the profile of this issue is that, to be brutally frank, there are no votes in it? All too often, some of the people who suffer most are regarded by many of our constituents as a troublesome problem. It is, therefore, all the more important that we utilise this opportunity. I hope that the Minister does not see politics as a platform for his views and that he can try to do something fairly constructive. I hope that he will keep that in mind as he continues his speech.

Damian Green: My hon. Friend has made a good point. This is not an issue that tends to gain huge headlines or create partisan politics, and nor should it. This is, therefore, an opportunity for Ministers and Governments simply to seek to do the right thing by some very vulnerable people.

Let me move on rapidly to address all the individual points that have been made by my hon. Friend and others. I reassure him that the work that was done by the UK Human Trafficking Centre will continue unaffected. The UKHTC plays an important role in our overall efforts to combat trafficking, and the Government are committed to ensuring its continued success. When it became part of the Serious Organised Crime Agency, much work was done to ensure that the UKHTC retained its unique role, character and identity. That includes its focus on victim care and its competent authority role in identifying victims as part of the national referral mechanism. Merging the UKHTC into the national crime agency will not affect its important work or change its focus in any way. Specifically, as part of the NCA, the UKHTC will benefit from being able to draw on the resources and intelligence of the wider organisation, while retaining its focus.

During the debate, it struck me that two contradictory demands were often made in the same speech: first, that we need to work much better across different parts of the police, between police forces and between the police and different agencies; and, secondly, that specialist units should be set up. There is clearly a tension between those two entirely legitimate demands. I am sure that hon. Members from all parties recognise that.

Michael Connarty: The Scottish commissioner identified that dealing with trafficking is seen as additional work within police forces. If specialist organisations are absorbed inside larger police forces, dealing with the matter will clearly become a marginal activity, particularly for those forces that are currently being slashed and are losing 20% of their resources.

Damian Green: That is precisely why it needs to become a mainstream activity, which is what the strategy is designed to achieve.

My hon. Friend the Member for Cities of London and Westminster has referred to the national referral mechanism, as have other hon. Members. The NRM is a framework designed to make it easier for agencies—the police, the UK Border Agency, local authorities and non-governmental organisations—involved in a trafficking case to co-operate, to share information about potential victims and to facilitate their access to support. The framework is designed precisely to achieve the kind of coherence that we are seeking.

The expert decision makers—the competent authorities—are based in the United Kingdom Human Trafficking Centre and the UK Border Agency, and we are committed to ensuring that there are multi-agency working arrangements in both. I recognise that victim identification is an area that can always be improved, and the NRM was set up by the previous Government for that purpose. In the first 21 months of its operation, more than 1,250 potential trafficking cases were referred to the NRM by a range of front-line agencies, and our expert decision makers went on to grant a period of reflection and recovery in 65% of the cases decided. We remain committed to working with partners to ensure that our arrangements for identifying and protecting victims constantly improve.

My hon. Friend recommended having a one-stop shop to gather intelligence and care for victims. I will obviously think about that but, at the moment, the strategy has been to draw on the expertise of anti-trafficking groups to develop a support system that offers victims a more diverse range of services and enables more providers to support victims of this crime. That has been the basis of the approach up to now. The new victim care arrangements, which have been referred to, will mean that the Salvation Army is responsible for the co-ordination and contracting of victim care and will ensure that all identified victims receive support based on their individual needs. Those arrangements continue to be in line with the standards set out in the Council of Europe convention.

It is important to bear in mind that victims must not be compelled to share information with the police in order to access support services. The hon. Member for Wolverhampton North East (Emma Reynolds) has referred to the POPPY project. I reassure her that money has not been taken away. A new contract is being let and we are having a different model. Rather than one provider doing everything, the Salvation Army will act as a gateway to other providers, so that a wider range of expertise is available.

Emma Reynolds: Is it not the case that the resources available for that contract are much reduced compared with what was given to the POPPY project?

Damian Green: Straightforwardly, no. That is simply not the case. It is one of the areas that has been protected. While I am talking about the Salvation Army, I strongly reject the comments about that organisation made by the right hon. Member for Rotherham (Mr MacShane). As he knows, I agree with many of the things that he said, but his attack on the Salvation Army was deplorable. He seemed to suggest that a faith-based organisation could not deal adequately with victims of other faiths or of no faith. That is a disgraceful thing to say. If he is saying that a Christian-based organisation is not capable of fulfilling such a role, that is anti-Christian bigotry and he really should be ashamed of himself.

Mr MacShane: For heaven's sake! The Minister is rather spoiling a good debate. I am appalled at the bigotry against the Eaves organisation—the POPPY project. Yes, I do believe that an organisation based on women is best suited to help trafficked women from different faiths. That was my point. I said on the record that I have nothing but praise and respect for the Salvation Army. It is the decision to remove the money from Eaves and the POPPY project that is deplorable.

Damian Green: When he reads the record, the right hon. Gentleman will wish to reflect on what he actually said about the Salvation Army.

[Damian Green]

The separation between sharing information with the police and access to services is important in ensuring that victims can reflect and recover, and to engage with law enforcement if and when they feel safe enough to do so. The strength of our approach to tackling human trafficking lies in its diversity and in having the UKHTC as our repository for collecting data and the NRM to draw together all those who may be involved in a trafficking case to make the right decisions on victim status. However, I recognise the importance of ease of access to the information that is available to victims of trafficking on how to report their experiences, as a number of hon. Members have mentioned. In that regard, my hon. Friend the Member for Cities of London and Westminster recommended having a website for all the relevant information. I suggest that, given the situation in which many victims find themselves, access to a website may not be the most useful solution. Victims of forced prostitution might be locked in basements and will not have access to any basic services, let alone the internet.

In response to my hon. Friend's points about the Metropolitan police's human trafficking unit, the previous Government decided to discontinue that funding, which was provided on a time-limited basis, because they believed that trafficking work should be mainstreamed into the Metropolitan Police Service budget, as it is core police business. The team's expertise was therefore not lost and reorganisation ensured that it retained its capability to support victims and mount investigations against trafficking.

I agree with my hon. Friend in congratulating the team that runs Operation Paladin, which acts as a point of expertise and guidance for all UKBA officers and Metropolitan police officers. It is important to note that although Paladin is a Met-UKBA joint operation, advice is not only restricted to the ports in London. Paladin offers an advisory service and routinely offers support to officers outside the London area. A specific point has been made about St Pancras. Of course, all passengers arriving at St Pancras have been cleared for immigration purposes at juxtaposed controls in France and Belgium. If there is any suspicion that a child arriving at St Pancras is at risk, UKBA will refer to the appropriate authorities. Specifically, Operation Paladin's coverage extends to St Pancras.

Michael Connarty: Will the Minister give way?

Damian Green: I apologise to the hon. Gentleman, but I have many points to respond to that were made in the debate.

The issue of re-trafficking has been discussed. That is precisely why, as a key part of our new strategy, we will be working much more in the source countries—the sending countries. I am sure that we all accept that prevention is better than cure. That has been lacking, and it is something that we will address in the new strategy. Much criticism has been based on the lack of provision of information across agencies, and another key part of the new strategy will be to improve our performance in putting information around the system.

The right hon. Member for Rotherham has mentioned STOP UK, which is indeed one of the organisations that will be part of the Salvation Army's supply chain. It has satisfied the procurement requirements so far but, obviously, I will take what he has to say seriously. The hon. Member for Slough asked about NRM decisions and support providers. As I have said, support providers advocate for victims in the provision of care and ensure that competent authorities receive the information that they need to make the right decision. Although there is no appeal system for the NRM, the decisions can be judicially reviewed.

Let me move on to child guardians and the national rapporteur. I know that hon. Members found the previous debate useful. We will, of course, be applying to the European Commission to opt into the directive. The directive contains a number of important provisions on the issue of child guardians. Local authorities already have a statutory duty to ensure that they safeguard and promote the welfare of children. So it is not, as some hon. Members have suggested, an additional burden on them. Can local authorities do it better? Absolutely. I have no doubt that some of them can and should do so.

Stillbirth

11 am

Chris Heaton-Harris (Daventry) (Con): It is a pleasure to serve under your chairmanship, Mr Crausby. I have never been in this situation before, so I hope that you will treat me gently in the course of the next half an hour.

I am grateful to have the opportunity to raise this important issue in Westminster Hall. Stillbirth is a sensitive, painful subject that has a lasting effect on thousands of people each year, and I am not convinced that enough is being done to support the families of stillborn children. I am concerned that the UK seems to be failing to reduce the number of stillbirths that we have each year.

A few years ago, a couple who are good friends of mine were joyfully awaiting the birth of their second child. The mother had what can only be described as a normal pregnancy. When the baby was full term, she had some intense pain in her stomach and decided that it would be wise to head to the hospital. Rather than being admitted, she was sent home. When she returned a day or so later, she was told that the baby she had been carrying had died.

Who knows what might have been different, had the circumstances a day or so previously been different? That is not the point of this debate, but what happened then made up my mind that, should I ever be elected to this place, I would do my best to ensure that, in future, no parents would have to suffer the same fate as my friends. Unfortunately, due to staffing problems, the couple were sent home on that day, with the deceased baby still inside the mother. They were asked to return after the weekend for the delivery of their son.

Clearly, that is not an acceptable or humane way to treat someone who has received the worst of all news. It was, and still is, impossible for any of us here to know or have the slightest clue about what my friends were feeling at that time, and what so many parents like them go through each day. It is not a small number of families who go through this. Recent research shows that 11 babies are stillborn every day in the United Kingdom, averaging out as one in every 200 babies born, or 4,100 babies a year.

Some parents I have spoken to have had only the nicest things to say about how they were treated following the stillbirth of their child. Others have stories that are not so good, which is why I have been trying to secure this debate for months. I want to impress on the Minister, whom I know is very sympathetic, the need to help spread best practice across the health service when it comes to stillbirth. Sands, the stillbirth and neonatal death charity, has developed comprehensive guidelines for professionals. However, I am not confident that that best practice is used across the whole of the NHS.

I acknowledge completely that we have come a long way in how we deal with stillbirth. There is a lady in the Public Gallery here today, Angela, who has, alas, experienced some of the worst of what used to happen not so many years ago. She created a group, I Have Rights Too, to help other parents after her baby, Natasha, was born and passed away almost immediately. Born a Catholic, Natasha was denied the last rites, and her parents were not allowed to hold her. At least one of her organs was removed without her parents' knowledge, and she was buried in a mass grave. That is what some would call a legacy case, and I would appreciate it if one of the Minister's officials helped Angela finally to get the answers she needs as a mother, in order to come to terms with what happened a few years ago.

Some of the things that happened to Natasha no longer happen. The Human Tissue Act 2004, the Human Tissue Authority Codes of Practice (2006), which apply in England, Wales and Northern Ireland, and the Human Tissue (Scotland) Act 2006, which applies in Scotland, mean that parental consent is required before any organs are removed from a stillborn baby. In most cases now, funeral arrangements for a stillborn baby are a matter of decision for the parents, or by the relevant health or local authority if the parents are unable to meet the cost. However, public graves for the interment of stillborn and young babies remain to this day in some areas.

Another matter that causes great anxiety to parents who have a stillborn child is certification. Parents I have been in contact with have been very distressed that they cannot legally register the birth of a baby born before 24 weeks who did not breathe or show any signs of life. While I understand that some parents would be distressed at the possibility of having to do that, I wonder whether we could have a more flexible system whereby parents have the choice of a formal birth certificate, a local certificate issued by the hospital or—if they chose it—nothing. In modern society, I believe we have the ability and sensibility to deal with the matter of certification, which is very important to most of the parents I have spoken to, because it is a simple process of formally naming their deceased baby.

Parents should be actively encouraged to see, hold and care for their stillborn child. From all the various examples I have heard, while heartbreaking at the time, it seems to help parents come to terms with their loss much quicker than they would otherwise have done. One of my correspondents on this subject has suggested that where parents do not wish to do that—with the emotions running through them at the time, some parents feel confused and do not know how to deal with these matters—staff should take photos of the baby while it is being washed and dressed, so that, should the parents change their mind at a later date, pictures of their child are available.

Without a doubt, the hardest thing for anyone to do when a family member passes away is to say goodbye. Saying goodbye in these circumstances should be done in the parents' own time and in their own way, and they really should have expert support to help them decide what is best for them. Leaving the hospital, without the baby the parents expected to be taking home, is a terrible thing for anyone to go through. From what I gather, most maternity units now deal with this in a professional and responsible fashion, and should be commended for the way they handle this circumstance. Invariably, in the weeks after a stillbirth, the parents have to go back to the hospital where their baby was delivered for check-ups and medical tests. Many parents have suggested to me that more consideration should be given to subsequent hospital visits, and that space for those appointments should be made available away from the maternity unit. Quite often, parents have to go back to the place where they have just had such a distressing occurrence.

[Chris Heaton-Harris]

I would like to thank Melanie Scott, whose son, Finley, was stillborn, and who received a lot of quality support. She has written a book about her experience, and feels that the support she received allowed her and her family to heal at the time, and to continue to heal. She now helps other families who have had the same experience.

Finally, I would like to come back to the issue of the number of stillbirths that occur each year. As I mentioned earlier, more than 4,100 babies a year are stillborn; that is 11 a day. That number is simply too high. I have been told that approximately 30% of stillbirths remain unexplained, and that various factors play into the deaths of the remaining 70% of those babies. I know that the Minister is concerned that the UK is slipping down the league table. According to a recent study in *The Lancet*, the UK has one of the worst records for stillbirths, ranking 33rd out of 35 high-income nations. While it is important to acknowledge that all women are vulnerable, we need to work out why the women in our nation may be at a higher risk of stillbirth, and what we can do to change that fact. There are some troubling regional differences in the percentage rates of stillbirth across the UK. How can we explain the 33% difference between the south-west, with the lowest rates, and the east midlands, of which my constituency is a part, which has the highest rates?

I have had discussions with people who point out that in recent years, Britain has become one of the unhealthiest nations in Europe. We are the most obese nation in Europe, and we are the heaviest drinkers. As life expectancy has increased, more British women are waiting until later in life to become first-time mothers. Those could all be contributing factors to the horrid statistic of 11 stillbirths a day.

What research has been done into the reasons behind our high stillbirth rate? Why is there so much regional variation? More than anything, I want the Minister to assure me and the House that the Government have an ongoing commitment to reducing the number of stillborn children throughout the United Kingdom, and that he will do his best to ensure that best practice, which does exist, gets spread through the whole NHS, so that eventually, fewer parents need suffer this terrible fate.

11.10 am

The Minister of State, Department of Health (Mr Simon Burns): It is a pleasure to serve under your chairmanship, Mr Crausby.

I congratulate my hon. Friend the Member for Daventry (Chris Heaton-Harris) on securing this important debate and on the sensitive way in which he commented on a deeply distressing set of circumstances that, sadly, affect far too many families in this country. My hon. Friend has an active interest in this area, with his support both for his constituents who have suffered the tragedy of stillbirth and for the I Have Rights Too campaign, to which he alluded.

My hon. Friend asked for help from Department officials in an individual case. If he is kind enough to contact me with further details, I will be more than happy to ask my officials to look into what could be done to help. I cannot prejudge what might happen—there are too many unknown quantities—but he has my assurance that we will see whether there is anything we can do to help. I would certainly like to provide help if that is humanly possible.

For most people, having a baby is the most profound and important event of their lives. It is a time to make plans and look forward to a future with all the joys that having a child can bring. To lose a baby, at birth or shortly afterwards, is devastating for parents and the wider family. Anyone who has been fortunate enough not to have undergone such a tragic circumstance cannot fully appreciate the depth of devastation and despair of such a family; nothing could be worse in family life.

It is important for parents who have lost a baby to receive immediate and ongoing support and information at a time that is appropriate for their needs. Parents might find it helpful to talk to their GP or community midwife who, as well as providing support, can provide advice on the bereavement and counselling services available locally, such as those provided by specialist bereavement-support midwives.

To support the NHS in the provision of such services, in 2008 the Royal College of Obstetricians and Gynaecologists published "Standards for Maternity Care", which sets out clear standards for the levels of care that should be provided to help patients and families whose baby is stillborn or dies shortly after birth. Comprehensive guidelines for professionals, on "Pregnancy Loss and the Death of a Baby" have been developed by Sands—the Stillbirth and Neonatal Death Charity. For parents, the pregnancy care planner on the NHS Choices website provides information on stillbirth, to complement information provided locally, and signposts other sources of help, including Sands, which I hope individuals find helpful at what is a difficult time.

Forms and certificates are often greatly valued by parents as a way to acknowledge and commemorate the life of their baby. The Births and Deaths Registration Act 1953, as amended, provides for the registration of babies born dead after 24 weeks' gestation, which is the legal age of viability. A certificate of registration and a certificate for burial or cremation are issued.

Parliament supported a change to the stillbirth definition from "after 28 weeks" to "after 24 weeks" in 1992, given a clear consensus in the medical profession at that time that the age at which a foetus is considered viable should be changed. The medical certificate of stillbirth records the name of the mother and details such as the weight, the estimated duration of pregnancy and when the child died—before labour or during labour—as well as the cause of death and whether a post-mortem has been or might be carried out.

Some parents find it deeply distressing that they cannot legally register the birth of a baby born before 24 weeks, as my hon. Friend mentioned; the definition involves a baby born before 24 weeks who did not breathe or show any signs of life. However, it is important to recognise that some parents would be distressed at the possibility of having to do so. When a baby is born dead before 24 weeks' gestation, hospitals may issue a local certificate to commemorate the baby's birth.

The devastating effect of any stillbirth cannot be overestimated, and we recognise the distress that parents might face when having to deal with the further impact of a post-mortem examination. The Human Tissue Act 2004, which applies in England, Wales and Northern

Ireland, established the Human Tissue Authority to regulate the removal, storage, use and disposal of any body parts, organs and tissue. Consent is the fundamental principle underpinning the Act.

The HTA has issued codes of practice that provide practical guidance and lay down expected standards in relation to activities within its remit, such as the carrying out of a post-mortem examination. The code on post-mortem examination recognises the particular difficulties involved when pregnancy loss or stillbirth has occurred, and emphasises the need for sensitive communication and the provision of further advice and guidance for parents when necessary. That is especially important when the pathology results have implications for future pregnancies.

The funeral arrangements for a stillborn child are a matter for the parents, or for the relevant health or local authority if the parents are unable to meet the costs. Individual local authorities decide what burial facilities to offer, but public graves for the interment of stillborn and young babies remain in some areas. In many cases, sections of the cemeteries may be set aside for the burial of babies, and that can provide some comfort for bereaved parents. Whatever arrangements are made, we expect them to be provided with dignity and sensitivity.

I turn to the UK's record. My hon. Friend made a number of valid points. He alluded to a recent series on stillbirth in *The Lancet*, which ranked the UK stillbirth rate 33rd worldwide, below many other high-income countries. Since 1999, there has been a small reduction in the stillbirth rate for England—from 5.3 per 1,000 total births, to 5.2 in 2009. However, over the past 50 years the rate has declined significantly; for example, in 1960 the figure for England and Wales was 19.8.

Historically, there has been a step in the right direction, but I fully understand the validity of my hon. Friend's point: even if the rate has declined in the past 10 years, the difference is marginal, suggesting that considerable work has still to be done to bring the rate down further and to minimise the number of occasions on which families have such a traumatic experience. The Government want to improve health outcomes, which is a key focus of our NHS reforms. We have made the reduction of perinatal mortality, including stillbirth, an improvement area under domain 1 of the NHS outcomes framework for 2011-12.

What can be done to reduce the risk of stillbirth? First, every unexpected death of a baby should be investigated. The National Patient Safety Agency has published a pro forma for the review of intrapartum-related perinatal deaths, for use by health professionals, and it may also be used for the review of all perinatal deaths. The aim is to find any avoidable factors, to identify any lessons to be learned, and then to develop and disseminate an action plan to deal with issues arising from the information. Secondly, it is imperative that we continue to drive forward improvements in maternity and new-born services, so that all women and their children have access to safe, high-quality and locally led care.

In recent years, there have been encouraging improvements in antenatal care. The Care Quality Commission's survey of women's experiences of maternity services was published in December 2010, and found that 92% of women rated their maternity care as good or better. We should be proud of that, but more can be done and needs to be done to improve care during pregnancy, labour, birth and the postnatal period. It is important that women access maternity services at an early stage; we believe that that is one of the most fundamental characteristics of high-quality maternity care. We therefore included the maternity 12-week early access indicator as one of the measures for quality in the NHS operating framework for 2011-12.

Encouraging early access to maternity services will enable women who can be identified as being at increased risk of stillbirth to receive additional support and monitoring. The National Institute for Health and Clinical Excellence will develop new quality standards on antenatal care, the management and care of women in labour and delivery, and postnatal care. Based on the best available evidence, the standards will play a key role in the Government's vision of an NHS focused on improving outcomes for patients.

We believe that there should be more accountability within the NHS, and the outcomes framework will be used to hold the NHS to account for the outcomes that it delivers through commissioning health services from 2012-13. We also believe that the availability of a full range of services, as close to home as possible, is fundamental to safe, high-quality maternity care. To help to achieve that, we have made extending choice in maternity services a key priority for the NHS. Maternity provider networks will help to make safe, informed choice throughout pregnancy and in childbirth a reality, and will facilitate movement between the different services.

I am pleased to announce that my hon. Friend the Under-Secretary for Public Health plans to host a meeting on stillbirth later this year. It will consider the issues in more detail and consider what more can be done to help reduce the number of stillborn babies and provide an opportunity for all pregnant women to receive accurate and timely advice on risk factors and simple measures to reduce risk—for example, stopping smoking.

Pregnancy is a vital time for health promotion. Parents are motivated to do the best for their children, so they are particularly receptive to information and advice. That means that maternity services, when delivered well and with a holistic approach, can help to tackle some of the biggest public health issues facing us as a nation, to do with nutrition, physical activity and health inequalities—not just for infants and children, but for all of us.

My hon. Friend asked about research in the Department and the NHS, and I shall briefly address that issue. First, the Department of Health continues to invest in research in this important area. The Department's National Institute for Health Research in Cambridge has an ongoing programme to look at women's health. A major focus of that research is understanding the factors linked to stillbirth, and to use that information to improve the clinical care of pregnant women. I hope that that goes some way to reassure my hon. Friend that research is ongoing and that we take the issue extremely seriously because of the implications and level of the problem in this country, given its high income and standard of living compared with other nations around the world. We can do better, and we must do better.

I want to speak about another issue that my hon. Friend did not raise specifically, but I hope that he will find it useful in the context of this debate. Financial support is of great importance to families who may have a financial problem when they suffer the devastation

[Mr Simon Burns]

of a stillbirth or early birth. Information on financial support is made available through the "Money made clear" leaflet on

> "Late miscarriage, stillbirth and neonatal death: financial help available".

It collates the information that parents may need from a range of cross-Government organisations and the voluntary sector. The leaflet contains information on whether, following late miscarriage, stillbirth or neonatal death, parents are eligible to receive free prescriptions and dental treatment, Healthy Start free vitamins and vouchers, statutory maternity pay, maternity allowance, statutory paternity pay, child benefit, the child trust fund and child tax credit.

That document is easily accessible in its format, so people do not have to be referred from pillar to post to find information and answers to questions that may be relevant to them, or uppermost in their minds when seeking a solution. It is worth putting that on the record so that people have an opportunity, when it is applicable or when they are suffering difficult financial circumstances, to be able easily to ascertain where and what they may do to access help at what is always a difficult time.

I conclude by thanking my hon. Friend for calling this debate. The issue is important simply because of the utter devastation, despair and misery that it causes to far too many families in this country. We take it extremely seriously, as I hope my hon. Friend recognises from the activities and actions that I have outlined and that the Department of Health and the NHS are pursuing. We continue to give the matter the highest priority, because we must do more to help families who face such a devastating and terrible loss.

11.27 am

Sitting suspended.

Waste Reduction

2.30 pm

Hywel Williams (Arfon) (PC): I am glad to have secured this debate, and that at least some hon. Members are hoping to contribute. This is a timely debate given the Government's review on waste policy. It is also real nappy week; later, I will explain my reasons for referring to that. There is a pressing need for action. When launching the Government review, the Environment Secretary stated:

> "There is an economic and environmental urgency to developing the right waste strategy."

Or, to adapt the Prime Minister's own words in another environmental context, the house is burning down. Given my views on incinerators, that is perhaps not the best analogy.

Waste is a pressing problem. One could refer to many of its aspects, such as the unrequired and/or excessive use of materials in packaging, the ubiquity of single-use items to which we seem to be addicted, or products that cannot be repaired, reused or used in a different way. Some products are difficult to recycle because of their complex use of materials. When preparing for this debate, I read about changes in the automotive industry where the use of plastics has been simplified so that recycling is easier. There are problems of inefficient energy recovery, and of waste being disposed of when it could have been treated differently.

As hon. Members will recognise, there is a hierarchy of waste disposal methods that runs from the most favoured options such as prevention or the preparation of something for reuse, through to recycling, other methods of recovery including energy recovery, and finally disposal. Much of the emphasis in the media and popular discourse concerns recycling, and in particular hitting—or missing—recycling targets. Such issues have obsessed us; I will refer later to targets in the context of Wales.

The popular debate also looks at inefficiency and the mystifying use of recycled materials. Some hon. Members will have seen pictures of ships full of plastics being sent to China. There is public disbelief that such things happen, but it is a relevant issue. I have also heard rumours about compostable material going straight to landfill. Last night, one of my constituents called me to say that compostable material in my local authority was being carried by lorry to Skelmersdale for dumping. I checked this morning with my local authority, and I was assured that that was not the case.

Controversies surround issues such as incineration and overflowing landfill sites, and when new landfill sites are proposed there are often local protests. I recently had experience of that in my constituency because a large quarry had been used for waste disposal for many years, and some people argued that it had been leaking into a local stream. That site has now been capped and closed, but finding a landfill site for the short period before another permanent site is found has been fraught with difficulty. I hope the problem has now been solved.

Much less popular attention is given to reducing the amount of waste generated by producing and using a product—from source to end of life—and I would be glad if the popular press gave that issue more attention. Less attention is also given to the construction industry, for example, which generates a large amount of waste. On a more positive note, efforts have been made by some areas of industry to achieve significant reductions in waste—I referred earlier to car manufacturers that have taken steps to reduce the numbers of plastics used, thus simplifying recycling.

Hon. Members may raise other issues this afternoon, but I would be interested in the Minister's comments on what the Secretary of State described in her statement as

> "new approaches to dealing with commercial waste and promoting 'responsibility deals.'"

Nicky Morgan (Loughborough) (Con): I congratulate the hon. Gentleman on securing this debate. He spoke about businesses disposing of waste. I have found that despite paying business rates, local businesses in my constituency are often asked to pay more and discouraged from recycling things such as paper, which we probably recycle automatically when throwing out our household waste. Because of the financial penalties, businesses are actively discouraged from taking a full part in recycling and reuse.

Hywel Williams: The hon. Lady makes a good point. We should not discourage recycling, but that should not necessarily be the first choice; generating less waste in the first place might be a wiser course of action. Some local authorities have withdrawn their charges for waste produced for the reasons mentioned by the hon. Lady.

I want to look at how we can prevent waste in the first place and at reuse, and I intend to use the example of real nappies—it is real nappy week. First, however, I will look broadly at the waste review, and it will be useful to refer to Wales as well as to England. I am a Welsh MP, and as hon. Members may know, in some respects Wales is well ahead of the game as far as the UK is concerned. The Welsh and UK Governments can learn much from each other, and the waste review provides an opportunity for that.

What happens in one country is bound to have an effect—perhaps a profound effect—on the country next door. I hardly need point out that incinerators in Wales near to the border are bound to raise concerns downwind. For decades, farms in Wales suffered from the effects of the wind that blew from Chernobyl, and farms in my constituency suffered restrictions for many years. The wind blows as it pleases.

Nicky Morgan: The hon. Gentleman is generous in giving way again. He talks about incineration, and hon. Members from all parties will know constituents who feel passionately about that issue once an incinerator is proposed on a nearby site—I am thinking of Shepshed in my constituency, where Biffa wants to place an incinerator. A couple of weeks ago, an article in the *Sunday Express* stated that the Health Protection Agency is going to work with researchers from Imperial college in London to look at the health effects produced by incineration and the health worries felt by those who live downwind from an incinerator.

Hywel Williams: Again, the hon. Lady makes an excellent point. We have long experience of such things in Wales. In the south-east an incineration plant caused tremendous worry to local people for many years because of the release of polychlorinated biphenyls, or PCBs. As I understand it, there are proposals to place a large incinerator in Merthyr Tydfil. There is also talk of an incinerator in the Wrexham area, which is upwind from large English conurbations and could have implications for people outside Wales. There has been much controversy over those plans and the possible health effects, and any research on the subject will be welcomed.

I want to refer to a recycling partnership that exists in my constituency between the local authority and social enterprises, and to the employment opportunities that that has provided. The Government have said that they have two ambitions: to have a zero-waste economy and to be the greenest Government ever. Obviously, tackling waste offers an opportunity to create a more resource-efficient and competitive economy, to create jobs and to save money.

It is gratifying that the generation of household waste continues to decrease and that the public's enthusiasm for recycling is clearly growing. Recycling sites now rival garden centres at the weekend as places to socialise—I had a peculiar experience in that regard the other day. The recycling rate in England is 40.3%, according to the latest figures from the Department for Environment, Food and Rural Affairs. However, that figure is behind the best in Europe—our ambition is to be the best, and the best rate in Europe is 70%-plus. The rate for Wales in the third quarter of 2010 was 45%, so in Wales we are slightly ahead of the game as far as England is concerned. The figure for the last quarter of 2010 in Wales was 42%. Of course, there is a drop-off in the winter months because there is less garden waste, but in Wales we are still somewhat ahead.

Andrew George (St Ives) (LD): I want to refer back to a point that the hon. Gentleman made earlier. Does he not think that a more appropriate measure for any Government, be they a devolved Administration or the UK Government, involves consideration of waste arisings, rather than recycling? As he said, the issue is avoiding waste going into the waste stream in the first place, whether it consists of products for recycling or otherwise. For example, rather than recycling products through recycling banks, one could take part in a bottle deposit scheme, as I do in respect of my doorstep milk collections; reusing bottles rather than recycling them is surely a better option than simply measuring recycling rates.

Hywel Williams: The hon. Gentleman makes an excellent point. Of course, there are questions about the durability of the bottles being recycled. Will we get the right bang for our buck by recycling? There are questions about transportation, the weight of glass and so on. However, the thrust of the point is excellent. I am old enough to remember getting a penny, or a penny ha'penny, back on a bottle of lemonade and I look back to those days with—well, I am showing my age now.

The targets for Wales are 70% recycling by 2025 and zero waste by 2050, so they are very ambitious. Without praising the previous Plaid Cymru-Labour Government too much, I shall say that Wales is the first country in the UK to adopt statutory recycling targets for municipal waste, following a Measure passed by the Assembly. It was one of the first measures that the Assembly managed to pass on its own. The Waste (Wales) Measure 2010 received royal approval in December. The first statutory

[Hywel Williams]

recycling target set under that Measure is 52% by 2012. Clearly, therefore, there is a pace of activity in Wales that I am sure will be interesting to people over the border.

Wales is also the only country in the UK in which every local authority offers a separate food or food and green waste collection. That is the case throughout the country. It was the first country to introduce the landfill allowance scheme and it looks as though it will be the first to introduce a carrier bag charge, in October 2011. We will see, of course, but that is the intention and it has widespread support. My local authority, Gwynedd, achieved a recycling rate of 44% in 2010-11 and, I hope, will achieve the target of 52% in 2013.

Mr Jamie Reed (Copeland) (Lab): Will the hon. Gentleman tell us a little about how the clearly more progressive, more advanced policies in Wales are being received by the general public? What binds the general public to those higher aspirations?

Hywel Williams: Speaking generally, I think that there is a political consensus in Wales anyway. In the recent election, it was sometimes difficult to see the difference even between a party of government and a party of opposition. There is a consensus on these issues and there is a tradition. I was talking to someone about this the other day. We used to call the rubbish not the rubbish, but the salvage—what we would be salvaging from rubbish. There is a long tradition of that. I have no idea what the basis is for what the hon. Gentleman refers to, but perhaps what is important is the outcome—a higher recycling rate.

My local authority is introducing weekly food collections. There had been concern about bi-weekly collections and possible dangers to health. The authority is bringing in weekly food collections, with a target for the amount collected by 2013. As I said earlier, it works with two third-sector organisations: Antur Waunfawr and Seren. They sort high-quality plastics and will be moving to lower-quality plastics quite soon. They also collect textiles. Those activities produce not only an income stream for the organisations involved, but 35 jobs for people with learning difficulties at Antur Waunfawr, so it is a win-win situation.

Antur also runs a furniture recycling scheme and a confidential waste shredding scheme for 450 customers throughout north Wales, including MPs such as myself, and it is now employing five young people on apprenticeships in recycling. There is a great deal of progress. The chief executive of Antur, Menna Jones, recently said to me—I am translating—"I don't know about the big society, but small social enterprises are achieving a lot." There is a good deal to emulate over the border.

At the same time, Friends of the Earth is pressing for another approach—halving residual waste by 2020. I would be interested in the Minister's comments on that. Targeting the reducing of residual waste—black bag waste that cannot be recycled—would reward waste prevention, reuse and recycling, as well as reducing the use of landfill and incineration. Friends of the Earth argues that zero waste must not mean zero waste to landfill, with some being diverted to incineration. It points out the inverse correlation between incineration and recycling.

Denmark has a very high level of incineration but a low level of recycling. There might be a causal relationship there. Friends of the Earth points to other European examples. Flanders has a ban on landfill or incineration of unsorted waste; it also has a very big network of reuse shops. Irish local authorities can levy a charge on waste incineration, and similar taxes exist in Denmark, Austria, the Netherlands, Norway and Sweden. There is a great deal that can be learned not only over the border within the UK, but from other European countries.

I said earlier that this is real nappy week; indeed, that is what led me to apply for the debate in the first place. Earlier this year, I visited a small company in my constituency called BabyKind. I should say that I have no particular interest in that company, but I was impressed by its enterprise, by its commitment to its products and customers and by its enthusiasm for the wider cause of promoting environmental sustainability.

Some people might think that my referring to real nappies in this debate is eccentric or even frivolous. However, the waste produced by throwaway nappies is a significant burden. The Nappy Alliance says that 3 billion nappies are thrown away every year—8 million a day—making up 4% of household waste. That is a huge amount—a huge negative contribution to the mountain of waste. Throwaway nappies that go to landfill add to the problems that we all recognise: the increased pressure on landfill sites, the waste of land, the potential water pollution and the increase in greenhouse gas emissions, particularly methane.

The Nappy Alliance also states that, according to the Environment Agency, the decomposition time scale for some of the materials and chemicals used in throwaway nappies is more than 500 years, so we are storing up problems for the future. In that respect, throwaway nappies are clearly misnamed when they are called "disposable"—they are far from disposable.

Debate on this matter has been distorted, although some would go further and say that it has been plagued by misinformation, unintended or otherwise. On Monday this week, an article in a national newspaper criticised local authorities for spending money on promoting real nappies. It claimed that

> "taxpayers' money was poured into real nappy campaigns even though the notion that re-useable nappies are better for the environment was discredited years ago."

It further claimed that there was "overwhelming evidence" in 2007 that such campaigns "were pointless".

I believe that that claim refers to the well publicised Environment Agency life cycle analysis report on nappies in 2006, which some Members might recall. The report was prominent in the press at the time—in 2006, not 2007—and it made similar assertions, if in a less striking way. However, when the report was revised in 2008, it showed that reusable nappies could be about 40% better for the environment than throwaways. News of that revision seems to have escaped the notice of Monday's newspaper—although I am sure that it is simply the result of a busy journalist not doing his homework.

Real nappies will directly solve much of the landfill problem, being reused and even passed on to be used by other children, as recently happened in my family. Their use offers local authorities an excellent cost saving. According to the Nappy Alliance, the cost of disposing of throwaway nappies in England is £90 million per year. Real nappies also fit into the waste hierarchy at a much higher level than throwaways, which are poor fuel for incineration and tend to go for disposal. They are also higher in the hierarchy than recycling, and that too should be borne in mind, given that some look to incentivise recycling while ignoring waste minimisation and reuse. That is another point for the future.

I realise that I have ranged fairly broadly in my speech, but it is necessary to set the matter in context. However, I draw the Minister's attention to the question posed by Friends of the Earth about the definition of zero waste. Is it zero to landfill, or is it in fact zero? I would also like to know what his Department is doing to promote the reuse of real nappies.

Andrew George: Before the hon. Gentleman draws his remarks to a conclusion, I wonder whether he would like to comment on the opportunities for business in recycling. For example, scrap metal merchants will be found in all constituencies and those who remember the Corona bottle referred to earlier will remember that licensed totters on every municipal site regularly recycled items. Those are honourable professions, but they are often pushed to the margins of society and treated badly. Does the hon. Gentleman not agree that those people and professions should be harnessed and given a central place in our business response to the need to reduce the waste stream?

Hywel Williams: The hon. Gentleman makes an excellent point. The Steptoe image is way out of date; indeed, it was out of date in the 1960s. There is clearly a huge market for reused materials, and if the constabulary keep an eye on our manhole covers I would be very much in favour of continuing with it.

Will the Minister assure the House that his Department is working closely with the Welsh and Scottish Governments and the Northern Ireland Administration, as well as on a wide range of matters in the European context? There is one small niggle, but others might raise it. Welsh authorities are doing rather well—for instance, Anglesey and Denbighshire are now recycling 57 %—but there is a sneaking suspicion that this might lead other authorities to slacken in their drive to reach 50% by 2020. I hope that that does not happen.

2.54 pm

John McDonnell (Hayes and Harlington) (Lab): I wish to raise four matters that relate to my constituency or are of personal interest. I congratulate the hon. Member for Arfon (Hywel Williams) on securing this debate; as he has said, coming in real nappy week, it is timely.

The first of the four matters is landfill. I represent a west London constituency that still has considerable open spaces. It covers a large geographical area. For the past 40 years, it has been a site for gravel extraction, the gravel being used by the construction industry in London and the south-east. I have appeared at every planning inquiry for gravel pits in my area for at least 35 years, and only once did we prevent a gravel application from going ahead. Usually, the extracting companies are offered a five-year term for operating the site, but as more gravel is discovered, so permission is renewed and renewed again. In some areas, a whole generation can be blighted by mineral extraction.

Following extraction, the holes are used for landfill. Putting to one side the traffic and noise caused by gravel extraction, the landfill exercise generates more traffic, more noise and more pollution, particularly air pollution and dust. In that respect, I have had considerable problems in my constituency over the last 30 years. For instance, the Stockley site operated for a number of years after the second world war and into the 1970s, and we were plagued with dumping, which can be associated with illegal dumping, and then with methane fires under the ground. Because of such problems, we need to include stricter controls on the development of landfill sites. Under the Localism Bill, greater authority will be given to local authorities, councils and communities to have a say in refusing landfill developments.

The second matter is incineration, a subject which has already been mentioned. Planning permission was given to an incinerator at Colnbrook, which is outside my constituency but adjacent to it. In recent years, the site was given an extension. The prevailing wind means that pollution from the incinerator is blown across my constituency. I have often raised questions in the House about the health impact of the pollution from incineration during my 14 years as a Member.

Research has been undertaken into the high level of birth defects, most of which was refuted by the Department of Health, yet researchers still come up with increasing evidence of the association between incineration and local health problems. I urge the Government to use the review to ensure that the Department of Health supports additional research into the implications of incineration on the health of communities that live down wind. We heard earlier about the research that is being undertaken. It is still relatively small-scale, and I would welcome additional funding going to primary care trusts, or whichever body results from the health legislation, to assist them in undertaking research in areas with incinerators where pollution could have an impact on local communities.

The third of my concerns is about council provision. We have heard about excellent examples of recycling in Wales, but there is an inconsistency of approach between local authorities. We are all in favour of localism, but it would be welcome if the Government were to consider standardising the opportunity to minimise waste as well as recycling it. For example, there is still an inconsistency in my area in the number of recycling centres, and we do not have a food waste service, which is another inconsistency among the London boroughs. I hate to use the phrase, but there is a postcode lottery for policy on waste and for access to facilities to minimise waste or to recycle food waste, compost and so on. In my area, the figures are still significant. In my borough of Hillingdon, 44,644 tonnes of waste is recycled and 64,566 tonnes is disposed of either through incineration or landfill. Therefore, we are still disposing of more waste than we recycle. No attempt is being made to assess what could be achieved through minimisation and prevention, which leads me on to a personal campaign. I support the Nappy Alliance, which is a representative organisation of the reusable nappy sector.

My youngest child was in reusable nappies 15 years ago, which is when I became an advocate of reusable schemes, working through the National Childbirth Trust.

[John McDonnell]

It is blindingly obvious that we would have a big impact on the environment if we could promote the use of reusable nappies and provide disincentives for the use of disposable ones.

The Nappy Alliance has brought forward its own charter, which I support. It believes that there should be a 1p tax on disposable nappies to try to prevent the harm that they do to the environment. We should urge the Government to exhort local authorities to work with local community organisations to see what can be done to support the development of reusable nappies. We have seen the figures about the impact on the environment and the savings that could be provided.

The cost of disposing of disposable nappies is estimated to be around £100 million. If the promotion of reusable nappies leads to a 10% reduction in disposable nappies, we could save £10 million, which is worth considering. The savings could be significantly more as people begin to understand the benefits of using reusable nappies.

I urge the Government to enter into discussions with local authorities, the voluntary sector and private industry to see whether we can promote local schemes for reusable nappies. In that way, we will assist in reducing landfill, incineration and overall pollution.

Hywel Williams: Does the hon. Gentleman agree that if this is to be a long-term change, there needs to be a cultural change among young parents? It has taken many years for people to get out of the habit of using the old-style terry nappies. Therefore, we need a sustained effort by third sector organisations, charities, local authorities and central Government to achieve such a change.

John McDonnell: It requires a sustained effort, of course, but it should not be an arduous task. In fact, it could be a relatively easy exercise of advocacy. We could make use of the various mechanisms that already exist, particularly to improve the level of parenting. For example, the Sure Start centres and our local nurseries and schools could be used. The task could be relatively easy, if there were a concerted effort by local authorities and community organisations.

It is not like the old days, when we had to swill nappies around in buckets. The design of reusable nappies has moved on dramatically since then. Once parents have been introduced to them, they will see the benefit of them. Parents of younger children often look to see what wider goals there are in life. They want to ensure that they preserve the planet for their children, and they are just at that period in their lives when they are open to the arguments about waste prevention, the protection of the environment and overcoming climate change.

We need clear statements from national Government that this is an important issue that needs to be addressed and from local government about what can be done in the local area. They need to work together on a national plan that can be rolled out on a local level, with the support of the local voluntary sector as well as the private sector industries.

In my area, there are increasing pressures on our local environment as a result of illegal dumping. In their waste review, the Government must look at every measure they possibly can to minimise waste rather than putting the pressure on recycling. Certainly they must do everything they can to prevent landfill and incineration. In the past, I have been a supporter of the landfill tax, but I can see how that has resulted in further illegal dumping.

With the M25, M4 and the A40 all passing through my west London constituency, a large number of illegal dumpers have been able to take waste from central London, drive along the A40, the M4 or the M25 and then fly-tip the illegal rubbish in my constituency. No matter how much we put in place by way of detection and legal action against fly-tippers—some of the legislation that the previous Government introduced was excellent in giving us the tools to do that—the real solution is about minimisation and preventing the build-up of waste products. The disposable nappy might seem a small matter, but if we minimised its use and transferred to reusable nappies, we would be making a major contribution to the future waste policy of this country.

3.6 pm

Mr Jamie Reed (Copeland) (Lab): I congratulate the hon. Member for Arfon (Hywel Williams) on securing this debate. These are vital issues that deserve much greater attention than they currently receive, and the need for action in this area is pressing. Let me also say that it is a pleasure to face the Minister again. My hon. Friend the Member for Hayes and Harlington (John McDonnell) has made some interesting and compelling points about the issues facing his own constituency.

As the father of four children, the youngest of whom is five months old, I have to say that nappy week poses a real challenge in terms of trying to convince people of the benefits of moving towards more sustainable nappy use. The Minister knows that he will have my support and the support of Opposition Members when the Government seek to do the right thing. None the less, one year into this Conservative-led Government, we can see that environmental policies do not rate highly on their agenda. Regrettably, over the past 12 months, the Department for Environment, Food and Rural Affairs has become a struggling Department. It has been described as being in special measures. It has settled for the biggest departmental budget cut across Whitehall; it has struggled to articulate policy; and it has been forced into a series of U-turns. It is a picture of absolute chaos. I genuinely regret the fact that the Department that is meant to be the custodian of the green agenda is in such a poor state.

In his recent review of the Government's environmental record, Jonathan Porritt summarised the situation most succinctly.

3.8 pm

Sitting suspended for a Division in the House.

3.18 pm

On resuming—

Mr Reed: In an excellent piece of work undertaken for Friends of the Earth, Jonathon Porritt reviewed the Government's environmental record one year in:

> "the bad and the positively ugly indisputably outweigh the good…It is…unavoidably depressing to see just how rapidly things have gone backwards since May 2010."

Few would disagree with that assessment, and the ongoing inertia over waste policy illustrates the point further, with the Government routinely being accused of lacking ambition, as long-running disputes between DEFRA and the Department for Communities and Local Government continue—disputes that usually end with an outright DCLG victory.

The hon. Member for Arfon is right that waste policy must be based on a whole-systems approach. That means that it should concentrate not simply on recycling, but on reusing resources and reducing the resources used by society. In short, it should consider how we use the resources available to us in the most sustainable, environmental and economic ways possible, and not simply how we deal with the waste produced by utilising resources.

The Labour Government's record in this area was very good and was widely recognised as such. *The Independent* reported last year that

> "waste management was one of the real success stories of the last government, which in a mere decade managed to raise the amount of household waste going for recycling…to nearly 40 per cent".

Next month is the publication of the Government's much vaunted and much delayed waste review, which has so far, regrettably, failed to set the political world alight. That is a mutual regret for everyone involved in this policy area. There are issues about the review to raise here, and no doubt there will be more issues after the report's publication. Will the Minister confirm that it will be more than a "series of case studies", as some within DEFRA have briefed? Building on that, will the waste review replace the 2007 waste strategy? If so, what is the time scale? Local authorities, businesses, communities and individuals require certainty on this, and they are not receiving it now.

On the subject of certainty, I hope that the Minister will enlighten the Chamber on the recycling targets for local authorities in England. Will the waste review cover the targets and, more importantly, does DEFRA believe in such targets for local authorities in England? Can he guarantee that the waste framework directive will apply to England as well as to Scotland, Wales and Northern Ireland, all of which have significantly more ambitious recycling targets than the mandatory 50% by 2020? Is he content for Britain's minimum 50% target to be met by home nations other than England exceeding that minimum requirement?

Surely the Minister does not want England to lag behind, but wants to enable the English regions to benefit from the economic opportunities that the waste industry presents, which the devolved Administrations seem to acknowledge and enthusiastically pursue. Will he state categorically today that, however it is achieved, England will meet the minimum requirements of the directive? If DEFRA has rolled over again because the Department for Communities and Local Government has once again trumped it, and recycling targets for England are to be abandoned, will he assure us that the UK will meet the directive's minimum target?

What is the future of the joint municipal waste management strategies, which currently require local authorities in two-tier local authority areas to work together? What assessment has the Minister made of the impact of the strategies' removal on recycling rates and other performance goals? The fear among non-governmental organisations, environmental activists and others who care about this area is that political dogma is being placed above real outcomes, results and improvements to our environment, which is distorting environment and waste management policy.

The economic opportunities that effective resource management present are significant. The hon. Member for Arfon is right about the discourse in the country at large in all the nations of the UK. We need to change the terms of the debate and the frame of reference, which is a common responsibility for both Government and Opposition Members. Friends of the Earth estimates that 50,000 new jobs might be created across the economy, if recycling rates were to rise to 70%.

The CBI is even more optimistic about the benefits of a comprehensive approach to resource management policy. It recently warned the Government about the timidity in their approach to waste policy, and it rightly identified a series of quick wins that the country might secure if the Government were bolder and more ambitious—if they choose to show that boldness and ambition, we will certainly support them. The CBI identified providing massive business opportunities, meeting climate change targets, bolstering energy security and unlocking infrastructure investments from the private sector as just some of the benefits of a comprehensive waste policy.

As 300 of the UK's largest existing landfill sites have to close, the CBI estimates that it will require £1 billion of investment in approximately 2,000 new waste management plants over the next 10 years to meet Britain's minimum waste framework directive targets. We have fewer than 10 years in extraordinarily difficult economic circumstances to find an average of more than £1 billion a year to invest in the infrastructure that we need to meet our targets. That will require private and public investment, so how, credibly and specifically, do the Government intend to achieve it?

Where is the detailed Government strategy that sets out the investment required by and the roles and responsibilities of the public and private sectors? Will the Minister provide us with details of how the change will happen and what discussions he has had with the Treasury about the contribution that it will inevitably have to make towards the effort? The issue needs effective project management, not political abandonment. Will he also update the Chamber on the infraction proceedings caused by the Government's late transposition of the waste framework directive into law?

The Minister is aware that energy from waste is an incredibly exciting policy area, so will he spell out Government policy? Many hon. Members have mentioned it, but can he be clear about what, specifically, Government policy on waste incineration is? Ambiguity is not an option. What assessment has his Department made of the impact that the review of feed-in tariffs is having on investment in energy from waste projects? I was fortunate enough to visit a multimillion pound anaerobic digestion plant on a farm in Haselmere only yesterday—it is a superb scheme which I urge him to visit. It is clear to me and to others that continued uncertainty is damaging confidence in investment in the sector.

I know that the Minister is a good man and wants to do the right thing. We both know that the Government have relegated their environmental policy concerns. I have asked specific questions, and I look forward to specific answers now.

3.26 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Richard Benyon): It is a pleasure to serve under your chairmanship, Mr Crausby. I congratulate the hon. Member for Arfon (Hywel Williams) on securing such an important debate.

The Government are reviewing all aspects of waste policy and delivery in England, including how we can encourage waste prevention and reuse. The review's findings will be published in June. As waste is a devolved issue, the review focuses on England only, but I can reassure the hon. Gentleman that my officials meet regularly with those from the Welsh Administration and other devolved Administrations to learn about experiences elsewhere. I congratulate him on the good case studies he shared with us today of Welsh local authorities that are achieving fantastic results for recycling, and in other environmental areas. We can learn from those and from the good case studies in England. What is important is that we are all keen to prevent waste where we can.

The hon. Gentleman talked about the hideous spectacle of recyclates being placed on ships to China, and I entirely understand where he is coming from, but the first thing we need to consider when we think about that is that it is better that that is happening than that they are buried. If recyclable material can be constructed into something useful, there is a business opportunity, and to make recycling work, we need business opportunities. We obviously want to reduce the number of recycling miles, but it is not an entirely bad story if we are exporting materials that get used, and those materials fit in with the import-export structure of our shipping industry. There are new approaches to business waste, which will come out in the review. There is also a lot of good news on the co-responsibility deals the hon. Gentleman discussed.

The hon. Member for Hayes and Harlington (John McDonnell) mentioned that it is real nappy week. I would like to be able to stand in front of the House and say that I, as a father of five, was entirely virtuous and forced my poor wife—wives, if I am being perfectly honest—to use terry nappies, but I did not. I believe that I played my part in that function of parenting, but both wives would probably disagree. Nevertheless, we must ask ourselves whether we want to impose reusable nappies on future generations of parents. I think that the point made by the hon. Members for Arfon and for Hayes and Harlington is that this is a question of education and incentives.

Of course, reusing nappies is not a total-sum game. If we managed to persuade many more parents to reuse nappies, there would be increased use of water and possibly increased use of non-biological washing powders. So, it is not a total-sum game. Nevertheless, it is much better than burying large amounts of disposable nappies, which of course contain chemicals.

I want to give the hon. Member for Arfon an absolute assurance about what we mean by zero waste. Zero waste does not mean that no waste exists—we are all realists. It means a society where resources are fully valued, financially and environmentally. One person's waste is another person's resource. Nothing is actually wasted over time; we get as close as we can to zero landfill; and there is a new public consciousness about waste. That is how we define zero waste.

On the subject of nappies, it is also worth considering the work that the Government are doing with the clothing sector. In the UK, we buy some 2 million tonnes of clothing a year. That has a huge impact on our environment right through the supply chain—from production to the end of a product's life. We discard 1 million tonnes of unwanted clothing a year; 50% of it ends up in landfill and only 24% is reused or recycled. The clothing sector in the UK produces about 3.1 million tonnes of carbon dioxide, about 1 million tonnes of waste and 70 million tonnes of waste water. However, those sums are minimal compared with the impact of the clothing sector overseas, where 90% of the clothing that the UK consumes comes from. When we talk about waste, it is important that we understand the breadth of what we are dealing with.

The hon. Members for Arfon and for Hayes and Harlington both mentioned incineration, as did the hon. Member for Copeland (Mr Reed), who said that he wants a very clear statement about how incineration fits in with our waste policy. That will be clearly defined in the waste review; that is its purpose. However, I can say today that incineration is part of the mix and part of the waste hierarchy, as all hon. Members will know well.

The question a lot of people ask about incineration is on the public health aspect. I can tell the hon. Member for Copeland that in 2009 the Health Protection Agency reviewed the scientific evidence of the health effects of modern municipal waste incinerators. I want to emphasise the word "modern", because there have been problems in the past with incinerators. The HPA's report on incinerators is available on its website. It concluded that although it is not possible to rule out completely any adverse health effects from incinerators, any potential damage from modern, well-run and highly regulated incinerators is likely to be so small as to be undetectable. I know that that will not make many of the protesters against incineration schemes go away quietly, and there are many other factors to be taken into consideration in siting an incinerator in a certain place. However, the fact remains that modern incinerators are highly regulated. They are not monitored monthly or weekly, but all the time. The Environment Agency is extremely strict in ensuring they are safe. One incinerator recently opened in Sheffield, and another in Bristol. They are a very important part of how we deal with waste, in a society that simply cannot afford to bury it any longer.

We have made great progress in this country in increasing recycling rates, but the best thing we can do with waste is to prevent its arising in the first place. In accordance with the waste hierarchy we have just discussed, and which is now enshrined in UK law, preventing waste helps individuals, businesses and local authorities to save money. It helps us to conserve scarce natural resources and it reduces damage to the environment. Through our waste review, we have engaged widely with individuals, communities and businesses, and we have received more than 300 responses to our call for evidence. Many of those who responded supported our view that we need to focus more on preventing waste from occurring in the first place. Waste prevention covers many types of activities and behaviours. It means improving production efficiencies in business; designing products so they work efficiently and last for as long as possible; repairing products when they are broken; reusing products to give them a second life; and not buying products we do not need.

The Government cannot deal with waste prevention alone. The public, private and voluntary sectors need to work together to make it easy for people to do the right thing. A great example of that is the existing work on food waste prevention. Food is a valuable resource. Every tonne of food that ends up in landfill damages the environment by producing the equivalent of four tonnes of CO_2. UK households throw away more than 8 million tonnes of food every year, most of which could have been eaten. Preventing that food waste could save the average family £680 a year.

The "Love Food Hate Waste" campaign is run by the Department for Environment, Food and Rural Affairs' delivery body, the Waste and Resources Action Programme in England. WRAP is working with businesses, householders, civil society groups and local authorities to reduce the amount of food wasted. More than 300 local authorities in England are running "Love Food Hate Waste" initiatives to help local residents buy the right amounts of food and to make the most of what they buy. I have seen such initiatives myself, working locally, and they are excellent schemes. Between 2007 and 2009, all these actions reduced food waste by more than 380,000 tonnes a year, saving consumers more than £860 million and preventing more than 1.6 million tonnes of CO_2 emissions a year.

We want to do even more to prevent waste by working with businesses and consumers. For example, WRAP has recently collaborated with Hovis to examine why consumers waste £1.1 billion of bread and bakery products each year, and to consider how manufacturers can help consumers to waste less of their products. Organisations such as FareShare, which is a social enterprise, also make an important contribution to preventing food waste. They work with industry to redistribute good quality surplus food that would have been wasted by giving it to people who might otherwise go hungry.

The Courtauld commitment, a voluntary initiative with retailers and manufacturers in the grocery sector, has also helped to reduce food waste. Phase 2, which was launched last year, aims to encourage further significant reductions in food waste. However, the Courtauld commitment is not only about food waste. It is a key contributor towards our efforts to reduce packaging waste and the carbon emissions associated with packaging production. Packaging makes up between 18% and 20% of household waste, and about 10% of commercial and industrial waste. Reducing packaging can have both economic and environmental benefits. By using only as much packaging as is necessary to protect goods, businesses can save money on raw materials and transport costs. Less packaging means that local authorities and businesses have less waste to deal with. For example, B&Q has just announced that it has swapped the cardboard packaging it used to use to transport kitchen components for a reusable packaging system. That has prevented 435 tonnes of cardboard waste and saved the company about £80,000 per year.

WRAP supports and encourages innovation in packaging design, with the aim of ensuring that packaging uses as little material as will do the job, and that it can be reused and recycled easily. We are looking not only at the packaging that surrounds products, but at the products themselves. We need to encourage companies to design products differently to avoid waste. Products need to last longer—to be upgradeable, repairable and reusable. Working with WRAP, we are helping organisations to develop new business models for a greener economy.

For example, under the sustainable clothing action plan I referred to earlier, more than 40 organisations are now taking voluntary action, including reducing production and packaging waste. If an unwanted item is still in good condition, it does not have to end up in landfill; it can be reused. Civil society organisations play a vital part in preventing waste through the reuse of goods. Charity shops and reuse organisations enable individuals to donate and buy items that other people no longer need, which provides social and environmental benefits. For example, the London Waste and Recycling Board is setting up a reuse network for the benefit of households across London.

There are lots of things that householders can do to prevent waste and to reuse products, but we know it is not always simple to do them. That is why the waste review will consider how we can make it easier for people to do the right thing.

The hon. Member for Copeland made a number of points, and I say just this: he is rapidly running out of ideas with which attack to this Government, because each time he does so we cut him off at the pass. He will have to eat his words about the greenest Government ever because, given the publication of the natural environment White Paper, the ecosystems assessment, the biodiversity plan and the many other documents—including the waste review, which has the environment absolutely at its heart—he sounds increasingly shrill in his rather weak attacks. It is simply not good enough to posit something utterly nonsensical to the House as if it were fact. He says that there are endless disputes between my Department and the Department for Communities and Local Government, and I can assure him that that is not the case. The two Departments are working together very closely—on a great many areas, including the Localism Bill, which is currently being debated in the House—and we have a good, sensible, hard-working relationship, which brings benefits both to the environment and to many other areas of our work.

I return to the important, and I hope bipartisan, issues that unite us. Waste prevention is not just for householders; it is for businesses to take action on too. More than 600 organisations have signed up to WRAP's halving waste to landfill commitment for the construction industry. The signatories have committed to reducing the amount of waste they send to landfill, and they are well on track to halving it by the end of 2012.

With the help of the national industrial symbiosis programme, more companies are able to use other firms' by-products as resources in their own businesses, diverting 35 million tonnes from landfill, eliminating 1.8 million tonnes of hazardous waste and saving businesses £780 million. We cannot afford to miss out on the opportunities offered by waste prevention, and we are working towards a waste prevention programme, which will be in place by the end of 2013 at the latest. We will set objectives to help us deliver economic growth while reducing waste and its negative impacts. We look forward to saying more when we have published our waste review. I can assure hon. Members that if I have not been able to answer their questions today, a cursory

[Richard Benyon]

look through that comprehensive document, which will set forth before the House a strategy for the coming years, will do so.

Waste prevention can help us to make progress towards a greener, zero-waste economy. It conserves natural resources, reduces greenhouse gas emissions, and saves local authorities, businesses and householders money, and the waste prevention programme will help us to achieve those goals. The Government look forward to working in partnership with others to tackle this important agenda, and I urge hon. Members to look at the waste review when it is published and see the value of a proper strategic cross-government approach to this very important issue.

3.43 pm

Sitting suspended.

Manufacturing Sector

4 pm

Alison McGovern (Wirral South) (Lab): It is an honour to have secured my first Westminster Hall debate on this important subject, and to serve, as a fellow north-west MP, under your chairmanship, Mr Crausby. Before I say anything about manufacturing, its status and its role, I want to explain that I did not apply for this debate so that we could have a party political row. I want to get into some of the specific technicalities of what the Government are doing in relation to manufacturing. I hope that the Minister will take what I have said at face value and that he also wants to engage with the issues, not the party political stuff that we often get caught up in.

I want to concentrate on two specific aspects of manufacturing. I want us to acknowledge that this is a time of opportunity for manufacturing. Over the past decade, we had a relatively high pound—sterling was riding pretty high. Now it is lower, which offers an opportunity. I also think that strategic changes in the global economy to do with the cost of fuel and transportation and the price of carbon offer us real opportunities in the supply chain. At this time, we as politicians must weigh in behind manufacturing as a sector. I hope that everybody present agrees with that sentiment.

The first aspect that I want to look at relates to career choices, young people and reputation issues for manufacturing, but my real focus will be on the second aspect, which relates to exports, UK Trade and Investment and Government support. There is much else to be said about what manufacturing in Britain needs, but I am sure that we will address those at other times in the House.

First, on reputation, less than 3% of people in London work in manufacturing, but many people work in the media and are journalists, so when it comes to talking about the presence of manufacturing businesses in Britain, the popular media gives us an unfortunate feeling and sense that Britain does not make anything anymore. I know that hon. Members present know that that is just not true. If anyone doubts that, let me put on the record how wonderful it is for me as a constituency Member of Parliament to visit Unilever, where we make a huge range of products that people buy every day in supermarkets. Those products are made in Britain, in my constituency, and we are very proud to have them. Not far from my constituency, Airbus makes the wings for the A380. It is inspiring for young people in Wirral to see my constituents go to Airbus and make those amazing aircraft, which are sold all over the world. Every time someone gets on an Airbus aircraft to go on holiday, they are likely to be on an aeroplane whose wings were made by some of my constituents. I say this to all Members: let nobody tell us that we do not make things in Britain; we do. We make amazing things. One reason why I applied to secure this debate was to start a discussion about how we can get that story told in a better way.

The situation is having an impact on young people and employment. Throughout the country, young people feel that their options are limited. They are limited not only because it is a tough time for our economy, but by knowledge. Without getting into the whole debate about careers, I think that young people face some difficult choices and are not necessarily aware of the opportunities that exist for them in manufacturing. I do not blame teachers for that. Teachers have a huge amount to do, and we cannot possibly ask them to know the latest data about manufacturing opportunities as well.

I would like to draw the Minister's attention to the Manufacturing Institute's "Make It" campaign, which has run successfully in the north-west—without much public subsidy, I might add—and with the support of partners including Jaguar Land Rover, Siemens, Tetra Pak, Cogent, Robert Wiseman Dairies, James Walker, Chemicals Northwest, Aircelle, C-TEC and many others. Those are all fantastic companies and they are working with the Manufacturing Institute to engage young people and give them real skills.

Chris White (Warwick and Leamington) (Con): I congratulate the hon. Lady on securing this debate. The sentiment that she has expressed is most welcome, and I am sure that all hon. Members want to do their bit to increase the profile of manufacturing in this country. Will she join me in supporting the associate parliamentary manufacturing group's "Made in Britain" competition? It will seek to showcase the best that we have to offer in manufacturing and, as a by-product, encourage young people to do the same. A career in manufacturing is an excellent way forward.

Alison McGovern: I thank the hon. Gentleman for his intervention and for his steadfast support in Parliament for manufacturing. The associate parliamentary group is incredibly important to this discussion. The competition that he has mentioned is fantastic. We should all get behind it and make sure that people see that some of the things that are made in this country are fantastically diverse. It is not about telling a story about our past, but about telling a story about what is going on now.

A company in my constituency makes the chemicals that are sent to Korea to help make iPhones. How cool is that? I think that young people from local schools who visit the company are genuinely inspired about where a career in science could lead them. That is about making the things that we have and use now. It is not about old-style factories from many years ago. I should also mention the work of General Motors in engaging schools. It has one of the most productive car plants in Europe in Ellesmere Port. Showcasing our high level of technology not only helps abroad—we will talk about exports later—but helps to inspire young people so that they can see that they have a future in this country and in making things that we all need.

Will the Minister agree to meet me and the Manufacturing Institute at some point to discuss how we can advance its ideas for the "Make It" campaign? It has been particularly successful in the north-west, and I would like to see those opportunities widened to people elsewhere in the country. The approach to schools has to be business-led. We cannot ask heavily-laden head teachers to do any more than they are already doing. We have to enable businesses in manufacturing to take the lead and to assist head teachers.

Something else that we might want to consider as a country is how we can get more business leaders from manufacturing to become school governors. There are a couple of examples on my patch that I think are particularly successful. It enables that body of knowledge to be used by schools and young people as a natural link that does not have to be forced.

The second issue that I want to address relates to exports and Government support. UK Trade and Investment recently produced an interesting strategy, and all of us who care about UK manufacturing and exports need to pay attention to it. It is an important document, because UKTI is in the lead now in terms of exports from this country. That could not be more important at a time in which we are seeing financial difficulty throughout Europe and in this country. I have said that I do not want a party political debate, but we have decided to change the structure of regional support in England. The Government have decided that regional development agencies were not the answer, and we now have local enterprise partnerships. I am grateful for the one that has been set up in my area, in the Liverpool city region. There is a changing picture and we need to work out how UKTI's strategy will work. I have a few questions about that, which I will ask the Minister in a moment.

Before I do, I want to say briefly that one of the biggest opportunities in manufacturing right now is the supply chain. I mentioned in my opening remarks the place of sterling now compared with what it was some years ago and the business case for the supply chain shifting to the UK in the light of fuel and other transport costs. Some work could be done on that. I hope that businesses around the country and the Government are working to make that business case because it could go unnoticed; for many years, people have had an assumption that the best thing for any business is to source overseas because labour costs are cheaper elsewhere.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I am grateful to my hon. Friend for securing this important debate. I could not agree more when she says that the perception is sometimes that this country does not make anything anymore. Part of the reason for that is past changes to supply chains; people perhaps think that we do not manufacture anything at all. How can we get a wider understanding of how the supply chain works? The example that my hon. Friend gave from her constituency of how one specific part of manufacture leads to a much bigger picture was powerful. On the whole, manufacturing is a very successful story for this country.

Alison McGovern: I thank my hon. Friend for that intervention. It is a difficult story to tell. When a journalist or somebody from the media is taken to Vauxhall Motors or any number of big, exciting manufacturing locations, they can see what is happening. However, in the future, there will increasingly be smaller, more specialist suppliers. In addition to fuel costs, the quality of the product is another driving factor behind the business case for moving the supply chain closer to sites of production.

As we move towards higher-tech production and try to meet some of the challenges of the greener economy, we need a better quality of product. In terms of quality control, we might be looking at smaller, more specialist producers. It is difficult to tell that story, but it has to be

[Alison McGovern]

done. As the BBC moves northwards, I hope that there will be lots of opportunities for those of us from the north-west to get these stories out there. It is a difficult challenge, but it is about telling a story of high quality.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this timely debate and I am pleased to serve under your chairmanship, Mr Crausby. On the supply chain issue, I represent a manufacturing area so I know that it is important to consider the green economy, particularly renewables. Much of the investment in renewables will come from the Government and electricity bill payers. We need to have the imagination to ensure that those jobs come to the UK and to invest in the supply chain, which my hon. Friend has mentioned adroitly in her presentation.

Alison McGovern: My hon. Friend's intervention is important. I will come to some of my specific questions for UKTI, about how it recognises not just the sectors that are already successful at a high level, but the sectors that are strategically placed for the future, even though they might be small at the moment. Green energy is certainly one of those. How are we going to ensure that Britain is selling green energy technology to Brazil, Russia, India and China in the future? We do not do much of it at the moment, but do we want to do it in the future? That is an important question to ask in terms of strategy.

I shall shift away from the supply chain specifically and on to UKTI's strategy, which is contained in an interesting document that is important for all of us. I want to ask the Minister the following questions. The strategy identifies five groups with subsectors relating to five parts of the economy, one of which is manufacturing. Of those five groups, what will the resource balance be across UKTI?

It is easy to say that what we want is success and to drive resources towards the bits of the economy where we already have success in exporting parts abroad. We might also say that if we are really going to rebalance the economy, we need to take somewhat more of a risk with our resources and invest in those things with which we might not have had a history of high-level success over the past 10 or 15 years but in which we know we need to invest for the future. I would be interested in understanding a bit more about resource balance.

On monitoring, when we develop the strategy, how will we watch what happens and who will feed back to Parliament and to businesses on the ground? There has sometimes been a bit of a disconnect in terms of understanding to whom UKTI is responsible, who its customers are and how it feeds back successes. When will that happen? We do not want to spend all our time bearing the costs of monitoring, with a thousand tick boxes and charts.

Caroline Dinenage (Gosport) (Con): I thank the hon. Lady for securing this valuable debate. As the owner of a manufacturing business, I have an enormous interest in everything that she has to say. One question that I would like to add to her list of things to mention is about cash flow. Although that is not a new problem, small manufacturing businesses are suffering from badly extended payment terms, with the average number of days until payment being around 88. That is astonishing and is affecting some good local manufacturers in a very bad way—some have been forced out of business. A European late payments directive has come into force, but it does not seem to be addressing the issue. I hope that she agrees that that matter needs addressing.

Alison McGovern: I thank the hon. Lady for her intervention. She is absolutely right. She has reminded me of an important point that I wanted to make about UKTI—how we check its work and ensure that we, as Members of Parliament, have full oversight. She is right about payment times; they can be absolutely make or break. I have seen that with companies in my constituency.

If there is a European directive, we, as a country, need to make Europe work for us. I suggest that in the British civil service, there has been a culture of applying directives absolutely to the letter in a way that is very formulaic, rather than saying, "Great, we've got this European system. How do we make this work for us?" I gently suggest that other European nations have done rather better than us. We need to see Europe as an opportunity. If there are such directives, that is fantastic—let us make them work for business, rather than just accepting them being handed down and administering them to the letter without watching what impact they have on the ground for business. It is important for us, as a community of politicians, to watch that. Businesses often point out to me how British civil servants tend to treat the rules on state aid and state intervention differently from how civil servants do in other countries. That is an important issue to watch because we can disadvantage ourselves without even meaning to.

Aligned to that is the matter of how the UKTI strategy will affect different parts of the UK. I mentioned that only nearly 3% of people work in manufacturing in London, whereas one in 10 in the north-west and more than one in 10 in the north-east do; there is clearly a differential need. Many more people work in manufacturing in places close to the constituency of the hon. Member for Gosport (Caroline Dinenage). We must recognise that if we have one strategy for the whole UK, we have to continue to watch how that helps different parts of the UK with different needs.

The strategy mentions working alongside the Welsh and Scottish Governments and the London Mayor on their plans for exports. That is fantastic and I support that approach. However, we obviously need UKTI to work with somebody in the English regions—the city regions. If UKTI is not working with regional development agencies, it needs to be working with local enterprise partnerships, which do not have anything like the same resources. They also do not have the same staff to call on the services of UKTI.

I have a final question. How will we check that we are not disadvantaging those parts of the country that do not have their own Parliament or Assembly? How empowered will UKTI staff be to add resources to the parts of the country that need them? I have heard anecdotal evidence that in the past UKTI has been quite centralised around Whitehall. It would be much better to see that service as a network of people embedded in local economic clusters. I hope that the Minister will support less bureaucracy from the centre and more empowerment to people working alongside companies to deliver the strategy. That is important.

In conclusion, I hope that the Minister will be able to respond to those specific questions—if not now, at a later date. Manufacturing has a huge amount to offer this country. I know that the Government agree and I am grateful for that support. There is every reason to think that now is the time for a new impetus. Strategically and globally, we are well placed to improve our manufactured exports. They have a huge amount to offer the country—not just next year, but in the next 20 or 30 years.

In recent years, we have seen manufacturing go through a high level of productivity improvements, so we are very well placed at the moment to maximise impact. However, if we leave things to chance and have a do-nothing option, it will be business as usual and only the sectors that are already strong and influential will be so. I hope that we can all take this opportunity not to have business as usual and to empower both UKTI and the rest of Government really to work alongside manufacturing.

4.21 pm

The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk): May I also congratulate the hon. Member for Wirral South (Alison McGovern) on securing the debate on this important subject? I gather that this is her first debate in Westminster Hall. It is about an excellent subject.

The hon. Lady pointed out that in her constituency, as in others, modern manufacturing is crucial. She mentioned Unilever. We have learned about the role of GM Vauxhall at Ellesmere Port and that of Airbus nearby. All are at the cutting edge in their own fields. They are all businesses of which we should be proud and I know that they are directly important to her constituents. She is right to say that manufacturing should be a non-partisan issue. I share fully her desire to ensure that manufacturing is at the heart of Government policy. We are determined to ensure that we establish a more resilient economy so that when we face, as we will, different shocks and challenges, we have a broader economy. Manufacturing plays a vital role in that.

I would like to put on the record my own encouragement and support—my private office will regret this, no doubt—for the associate parliamentary manufacturing group, which is very important. It is absolutely right that hon. Members across the House should feel that they can play a part in promoting this vital part of our economy, and I happily commend the group's work.

As the hon. Lady said, some would have us believe that we are not in the business of making things. They are wrong. In fact, this country remains one of the world's leading manufacturing nations. Manufacturing generates approximately £140 billion of our economy—some 11% of gross value added. On exports, to which she rightly referred, manufacturing represents 55% of everything that we export to the rest of the world. Encouragingly, in the past year we have seen an increase in that programme—approximately 19% on a year-on-year basis. That is good news.

Let me turn to the specific points that the hon. Lady raised about the profile and status of manufacturing. In a sense, that is a broader and longer question. There are two issues. The first is to tackle head-on the outdated perceptions of what modern industry means. The second is how we equip people, so that industry gets the calibre and range of people that it needs.

Changing those negative perceptions—the hon. Lady is right about the media—will be a challenge; some of them are deeply embedded. For example, in 2009, the number of graduates in science, technology, engineering and maths actually represented 43% of those leaving our universities. Only 5%, however, go on into industry. Clearly many young people who have the potential skills that industry needs are going elsewhere. They have not seen industry as something for them. That is the mindset that we have to change. We have to show young people what is the case, rather than what they might think—to fire up their imaginations and ensure that they can see that there are genuinely rewarding careers in industry.

I would like to highlight the work of the Manufacturing Institute, to which the hon. Lady referred. I would be more than pleased to meet its representatives and the hon. Lady. They have already met officials in my Department, and I strongly commend their organisation's work. I suspect that some of that work coloured my own views on what we needed to do when I was asked to take on this role a year ago. When I started, I wanted to showcase, in the large reception area in the Department, what we make. We have already been able to show a wide range of products, through a series of exhibitions.

The hon. Lady referred to the composite wings. After some challenges, not least having to take the door down, we installed one of the composite wings into the reception area to demonstrate what we make. We also exhibited the first zero-carbon motorbike made in this country. There are many other products that we want to exhibit and we are building up that programme so that people across business, and the wider public, can see what we do.

We want to go further. We have announced open days across industry so that factories, and those who work in them, can show their neighbourhood what they make. Rather than telling people, it is often wiser to show them; that is the heart of this argument. That will change perceptions. GM Vauxhall and Jaguar Land Rover are among the many automotive businesses who have signed up to this, which we are calling, "See Inside Manufacturing". We will roll that out now over the whole manufacturing sector so that we can engage people and show those who have never stepped into a modern factory what it is really like.

We want to ensure that we tackle the myth about low salaries. As the Manufacturing Institute points out, there is a misconception. According to the Office of National Statistics, the median salary for professional engineers is just more than £36,000 a year, which is in the top 30% of UK salaries. As people's careers develop, that rises to a median level of £55,000 for a skilled engineer, which is in the top 10%. Most people do not realise that, and that is the mindset that we are working with industry to change.

I am aware of the time, so I will just touch on the issue of skills and then move on to the issue of exports. The issue of skills is crucial. If we fire up the enthusiasm of the next generation of engineers, we need to ensure that they are equipped to do the job. We have focused on university technical colleges, so that we can deal with the vocational desire that many young people have

[Mr Mark Prisk]

while still at school age—14 and onwards. They will be able to get their hands dirty and do practical things that they can learn from. That is what UTCs are all about.

That needs to be harnessed by going further, so we are expanding massively the whole apprenticeship programme. There are excellent examples—I am aware of the one in Wirral, the Wirral Apprenticeship Scheme, which local businesses take up. We are looking to put £180 million, from the last Budget, on top of what we have planned for, so there will be approximately 250,000 additional places in the next four years. That will take the perception of young people through to equipping them with the skills that can benefit industry, too. We need to deliver on that through-thinking.

In the few moments I have left, I will touch on exports and the supply chain issue. The five-year plan set out by UKTI is crucial. The hon. Lady is right; if it were to be run from London without any genuine local roots, whether in Merseyside, Manchester or the midlands, it would fail in its task. We have made sure that UKTI is working with local enterprise partnerships across England, as well as our good friends in Wales, Scotland and Northern Ireland, so that they have a strong national voice abroad, but deep local roots in terms of local knowledge and information. In particular, that means that the international trade directors, who are the local keys to this, are already developing strong working relationships with local enterprise partnerships.

The hon. Lady mentioned the supply chain, which is very important. The automotive sector is crucial. In the past 12 months, I have pushed the industry and worked with it. We have now developed a road map. The industry has identified £1 billion-worth of goods that it currently imports to use in the vehicles that it assembles, and which it would be happy to procure in this country. That is a good example of how we can develop, and I want to build on it if I can.

In conclusion, I endorse totally the points raised by the hon. Lady. We need to ensure that people understand modern manufacturing and recognise it as a rewarding career. That is why we have been showcasing leading products and producers, promoting the benefits of STEM subjects, and working with industry to show that there are good and valuable careers. There is a lot more to do in this field, but this is a welcome debate and I hope that hon. Members on both sides of the House, across the political parties, can work together—not just in Parliament, but with the rest of industry as well.

Policing Costs (Football Matches)

4.30 pm

Mr Aidan Burley (Cannock Chase) (Con): I am delighted to serve under your chairmanship this afternoon, Mr Crausby. I am particularly grateful to Mr Speaker for granting me this debate on contribution to the costs of policing football matches by premiership clubs. It is my first Westminster Hall debate, as it was that of the hon. Member for Wirral South (Alison McGovern), who secured the previous debate.

To set the parameters of the debate, my proposals this afternoon only relate to premiership football clubs. Policing costs are associated with other sporting events, including lower league football matches. However, premiership football matches require a uniquely heavy police presence, because of the number of fans involved and the rivalries. The policing requirements of Wimbledon, the Ashes at Lord's or even an international rugby match at Twickenham are much lower compared with those of premiership football. In general, sports spectators are not violent or confrontational, and other sports do not have the same problems as football and hence do not need to separate fans or have strict alcohol laws.

Premiership games require a huge police presence, and I am challenging the idea that the taxpayer should pay for the adverse effects of one party on another. My contention is not that all sporting fixtures should pay for the costs of policing their matches, because at the poorer end of the scale that could wipe out the profit made on a small-scale fixture. However, with the average salary of a premiership footballer now estimated at £55,000 a week, and with some earning as much as four times that amount, or a salary of more than £10 million a year, the affordability of premiership football clubs paying the full costs of policing their highly profitable businesses cannot be questioned in any way. My simple contention is that the total police costs attributable to the policing of a premiership football match should be met by the clubs and not by the taxpayer.

To give some background, the provision of policing at a football match, or at any other commercial event such as a music concert, is a special police service. Special police services are governed by section 25 of the Police Act 1996:

> "The chief officer of police of a police force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority."

In effect, special police services are extra that police officers provide for security at commercial events. The event organiser must pay for the service at a price determined by the chief constable. If the cost is not met, the organiser can be denied a safety certificate and therefore cannot hold the event.

In 2008, the Association of Chief Police Officers made a submission to the Home Office about the Green Paper on the future of policing, calling for the introduction of full-cost policing. Full-cost policing would extend the definition of special police services beyond the so-called footprint of the event to include consequential policing: policing that is provided beyond the event itself, at train stations or town centres, to deal with crowds arriving at and leaving a commercial event. How is that ACPO submission currently viewed in the Home Office? How would a similar submission by ACPO today—for recovery of full-cost policing from football clubs—be regarded by Home Office Ministers?

Under current arrangements, football clubs are only legally obliged to pay for the policing in their footprint, which usually means inside the stadium and the surrounding car parks. However, the provision of consequential policing outside a football match—for example, at the nearest railway or tube station, in nearby pubs and bars or even in the city centre—is currently the responsibility of the police and is provided at their discretion and their cost. Clubs do not have to pay for that extra service, so the cost is paid for by the taxpayer. That has led to a disparity between what the police estimate the total cost of policing a football match to be, and what the clubs currently pay. In the 2007-08 season, it was estimated that the policing of 13 premier league football clubs cost the police £3.2 million in consequential policing. That difference was met by the taxpayer.

The disparity is the result of current case law—in particular, the case of the chief constable of Greater Manchester *v.* Wigan Athletic—but also of Home Office guidance on charging for the policing of football matches. The result, according to a report of the Select Committee on Home Affairs on this issue in July 2009, is that

> "some forces recovered less than half, some as much as two thirds of the costs of policing football".

The current disparity, therefore, is between what the clubs are legally obliged to pay in policing costs and what the police actually estimate those costs to be, and it stems from grey areas in the current legislation and Home Office guidance. Can the Minister address that issue in his response, and ask his officials to look into clarifying such an important area?

What are the actual costs? Sunita Patel, the London correspondent for the Wolverhampton *Express & Star*, has recently submitted freedom of information requests to the West Midlands police on the issue. Her story, published yesterday, revealed some interesting results. Data obtained from the West Midlands police show that the force estimated costs of £1.14 million to police Aston Villa and West Bromwich Albion's home fixtures in 2008-09. However, the force was only reimbursed £875,655, leaving a shortfall of £266,111. That quarter of a million pounds alone would pay for 10 police constables or seven sergeants. In essence, the police are recovering only three quarters of the costs of policing Villa and West Brom.

Justin Tomlinson (North Swindon) (Con): Does my hon. Friend agree that the biggest challenge is the lack of transparency—that a freedom of information request had to be submitted? Coupled with that, if he was granted his wish and football clubs in effect had to pay for their own policing, surely they should also have a greater say in how that policing is carried out.

Mr Burley: That is a fair point. One of the challenges to such arguments is that defining the cost of consequential policing is difficult. Is a fight in a bar at midnight between two guys wearing football shirts, a long time after the match, the responsibility of Villa and West Brom or of the police only? However, my argument, and what we found in the FOI figures, is that the police calculate such costs quite accurately. They know the costs for policing in the ground—the footprint—and outside, because we have obtained those figures under the FOI requests. A simple test would be to ask a police force what its extra deployment would be if there were a home match on a Saturday. The police would tell us straight away: they would have an extra 10 coppers at the station, a sergeant to oversee, and everything else. Those officers would not otherwise be deployed, so it is quite easy to calculate the extra costs.

Further figures obtained by Miss Patel for the most recent season, 2009-10, showed that West Midlands police recovered £1.23 million for policing the home games of Wolves, Aston Villa and Birmingham City. That is an increase of 40% on the previous season because of an extra west midlands club being in the top flight—I accept that that might change by the end of the week if Wolves or Birmingham go down. If the policing costs outside the football club premises went up by the same ratio, the taxpayer bill for the 2009-10 season would be an estimated £372,555. Extrapolated across the country and the 20 premiership clubs, that would equate to £2.5 million, which is equivalent to 106 police constables or 68 sergeants—at which point, such figures start to appear rather significant.

ACPO itself, in a BBC news article in October last year, estimated that it costs the police up to £25 million to deal with all football matches, but that they only recover £12 million to £15 million a year from the clubs. That is for all football matches, whereas my proposal is for premiership clubs only. Hammersmith and Fulham council estimates that the total cost of policing football matches in its borough, which, uniquely, has three premiership clubs, will be £5.69 million a season. Either way, the cost of policing football matches ranges from £2.5 million to £5.6 million to £15 million, depending on how many clubs and matches are included, and according to the different estimates by different forces of policing their local games. However, one thing from all those figures is abundantly clear. The taxpayer is subsidising wealthy football clubs to the tune of millions of pounds a year, and my simple question to the Minister is: why?

There is an issue and a principle. The issue is the disparity between what the clubs are legally obliged to pay in policing costs, and what the police estimate those costs to be. The principle is that the polluter pays. On the taxpayer subsidy provided to clubs through extra paid-for policing, my personal feeling is that the estimated consequential costs are far higher than freedom of information figures from the west midlands suggest. Let us consider three recent examples.

At the derby match involving Arsenal and Spurs on 31 October last year, a large group of hooligans smashed up several pubs after their side's 3-0 defeat, causing thousands of pounds of damage. Because of the nature of the derby rivalry at the previous year's game, the police classified it as high risk, and almost tripled the number of officers on duty from 180 to 560. In the north-east alone this year, British Transport police has already overspent its football budget by around £400,000. In April, a dozen arrests were made after a town centre pub was forced to close when Wigan Athletic, Sheffield United, Barnsley and Manchester United fans turned violent, and the police again had to call in hundreds of extra patrols to deal with the disturbance.

Eric Ollerenshaw (Lancaster and Fleetwood) (Con): I congratulate my hon. Friend on calling this important debate. As he is aware, British Transport police does not police football grounds—it is completely separate from that—but it estimates that in 2009-10, policing premiership games on Saturdays alone cost £8 million and involved deploying more than 300 police. That, as I say, excluded matches between Mondays and Fridays, and on Sundays. That is all extra expense for the public purse.

Mr Burley: My hon. Friend makes a good point. It is difficult to know how far the footprint goes. People catch trains to football matches, and one sees them at all the stations. That is why I contend that the consequential policing cost is far greater than we think. Whatever the figures, it is clear that it costs more than we recover from the clubs, and my question is: why?

We have all seen the extra police in tube stations and town centres on match days. They are there for one reason: because it is match day. They are doing their job of safeguarding the community, preventing trouble from occurring, and dealing with scuffles and fights between fans. My simple question is: why are the clubs not being billed for those extra policing costs?

In other walks of life there is a principle of, the polluter pays. A constituent, Nigel Clempson, runs a successful shop-fitting company in Rugeley. I am grateful to Richard Littlejohn in the *Daily Mail* for highlighting his case in the national press. He said that my constituent

"is the kind of businessman upon whom Britain's recovery depends."

His team of craftsmen work seven days a week, mostly at night, refurbishing shops and banks. All the debris that they strip out of the buildings they are refitting is taken back to the firm's yard at Rawnsley, near Cannock, where it is dumped in a large skip to await recycling and disposal. Because of the nature of the firm's business, the yard is accessible round the clock, and the skip attracts the attention of local rag and bone men and groups of Travellers who sort through it in search of salvage.

Nigel Clempson has never had a problem with scavengers, who are looking for scrap metal and other materials that they can sell for a few bob, but recently he had a visit from a police officer and an inspector from Cannock council's environmental health department. The police had seen some Travellers loading scrap from his yard into a transit van, and he was told that he needed a licence to transport industrial waste. He assured them that his company was fully insured and licensed, but was told, "Ah, but the Travellers aren't." Nigel was informed by the police that it was his duty to ensure that anyone taking material from his premises had a waste transfer certificate.

We all know that Travellers come and go at all hours, so how was Nigel expected to keep track of everyone, and make sure that they were carrying the correct permits? The police said that that was up to him, but that if any of the material was fly-tipped and traced back to him, he would face a hefty fine. People might ask why the onus should be on Nigel, and not on the Travellers themselves, who probably do not tax their own vehicles, so they are hardly going to bother getting a waste disposal certificate. The principle is that a local businessman from the west midlands has been told that it is his personal responsibility to make sure that a gang of Travellers do not remove stuff from a skip, so he has reluctantly spent £2,000 on a special cage to encase his skip. My question to the Minister is: why are the same police not telling their local premiership football clubs that it is their responsibility to make sure that the local community is safe, that the streets are cleaned, and that the train stations are protected from damage as a result of their businesses?

Graham Jones (Hyndburn) (Lab): I congratulate the hon. Gentleman on securing this debate, and I thank you, Mr Crausby, for chairing it. I do not disagree with the hon. Gentleman's principle, but I would like to hear his thoughts on some of the wider issues. He seems to have drawn a harsh line, although he has tried to address that, and my question is: why just premiership clubs?

A recent English Defence League demonstration in Blackburn on 4 April cost a fortune to police. The hon. Gentleman asked why taxpayers are paying for premiership matches to be policed, but what about the EDL demonstration? What about other demonstrations that cost local taxpayers a fortune? What about large community events that must be policed? Where is the line to be drawn? Will he explain why he is referring only to premiership clubs, and why that is fair?

Mr Burley: I am more than happy to do that. I framed my debate narrowly to premiership clubs. In essence, the direct answer is that there are two reasons. First, they are unique in the intensity of policing and number of police required for their entertainment activities, which is very different from the number of police at Glastonbury, an athletics meeting or at Wimbledon. So one reason is the number of police involved and the regularity of matches, and the second is the clubs' wealth. ACPO figures suggest that if the premiership clubs paid the total cost of policing their matches in the whole country, that would amount to some £15 million a year. I understand that Wayne Rooney is paid £10 million a year, and he is one striker in one club. Clearly, the clubs can afford it.

There seems to be a fundamental inconsistency in our messages to local businessmen and to premiership football clubs. Is that because it is easier to pick on small businesses than on giant football clubs?

Graham Jones: Will the hon. Gentleman give way?

Mr Burley: I must carry on to my conclusion. At the heart of this debate is a disparity between what clubs are legally obliged to pay in policing costs, and what the police estimate those costs to be. That stems from grey areas in current legislation and Home Office guidance. It is not clear to what extent football clubs and other holders of commercial events are liable for policing away from the footprint, and that leads to the disparity between the full cost of policing a match, and what the clubs believe they are liable to pay. There is also an issue of principle. If people like Nigel Clempson are being told by the police that they are responsible for putting cages on skips, why on earth are premiership football clubs not being similarly told that they are responsible for the policing costs incurred by their businesses?

Finally, the reality of the wider economic situation is that the police must make savings of up to 20%. We know that they are finding that a challenge, and officers in many forces are being retired after 30 years, while police community support officers and police staff are being lost. West Midlands police alone must save £125 million over the next four years. Why not provide extra revenue from a source that can afford it? That would help to mitigate the massive cuts being made to deal with the record deficit bequeathed to us by the last Government.

4.49 pm

The Minister for Immigration (Damian Green): I congratulate my hon. Friend the Member for Cannock Chase (Mr Burley) on securing this debate on an issue that is important in itself. As a season ticket holder at Reading football club, and after last night's play-off results, I hope to be taking a personal interest in premier league policing next season.

First, I will comment on the vital role played by the police in ensuring the safety of the public at all football matches, not just those in the premier league. Levels of football violence and disorder have fallen consistently over a number of years, particularly since the introduction of tough banning order legislation and the associated radical football disorder strategy in 2000.

Last season, total attendance at regulated football matches in England and Wales exceeded 39 million people, mostly in the premier league. Over the same period, football-related arrests fell by 10% and levels of football violence and disorder continue to be low. However, a lingering threat remains—it is perhaps more than lingering in some cases—and the police continue to play a crucial role in ensuring public safety. Let me take this opportunity to thank them for their continued hard work and dedication.

As my hon. Friend is aware, premier league football matches are policed on a public order basis where the aim is to prevent or deter trouble. Police adopt a visible but low-friction approach. They will intervene in stadia as appropriate—usually at an early stage to prevent escalation—and defuse, detain or eject anyone who is engaging in violent, disorderly or antisocial behaviour. Such policing is intelligence-led and based on a dynamic risk assessment. It means that football clubs and police authorities are able to agree on an appropriate level of policing in advance of each match, based on the level of risk as determined by the latest available intelligence. That ensures that the policing service provided is proportionate to the risk.

The provision of policing at a premier league football match, or any other commercial event such as a music concert, is considered a "special police service", and it is governed by section 25 of the Police Act 1996. Special police services are those provided beyond the normal line of duty, such as when extra officers are deployed at a site to reduce the risk to public safety during an event. Where the event is seen as commercial—such as a premier league football match—the event organiser is responsible for meeting the costs incurred by providing that service. The cost of policing an event is determined locally by the police authority in negotiation with the event organiser, and not by the Home Office. That system allows flexibility and permits police authorities to take into account any benefits and the ability to pay of the event organiser when determining charges at a local level.

Should an organiser be unwilling to pay for the level of policing deemed necessary to ensure public safety, the chief police officer can refuse to provide policing services. That may mean that the event organiser is denied a safety certificate by the relevant local authority, and without that certificate the event cannot take place.

Although the Home Office does not have formal powers to mandate charging or the level of charging, guidance has been provided in the form of circular 34/2000. Chapter 13 of that guidance deals specifically with the policing of football matches. The Association of Chief Police Officers—ACPO—produced guidance on charging for special police services in 2005, as well as in the 2008 document referred to my hon. Friend.

Football clubs are currently required by police forces to pay only for the policing of their so-called "footprint" area. That usually refers to the area inside the stadium and, for example, the surrounding car parks or streets. In latter case, however, costs can be recovered only when there is an express or implied request from the club for that service to be provided. The provision of "consequential policing" outside a football match—for example, at a railway station or town centre—is currently the responsibility of the police. It is provided at their discretion and at a direct cost to them. Football clubs are not currently required to pay for that extra service, as my hon. Friend has made clear.

I appreciate that in some cases that ambiguity has led to a disparity between what a police authority estimates as the total cost of policing a football match, and what the football club actually pays. It is clear that there is considerable depth of feeling about the extent to which football clubs, particularly those in the premier league, should cover the full policing costs incurred, and there are strong arguments on both sides. The police argue that policing a football match results in extra expense, regardless of whether their presence is on the club's "footprint" or not. The football clubs argue that the distinction is not so clear cut, and that if they neither require nor request police presence away from their "footprint", they should not be liable for the cost of police services elsewhere.

Mr Burley: On that point, is not the distinction rather more clear-cut than the football clubs would have us believe? As I mentioned earlier, an inspector for an area with a premiership football club that holds matches on Saturdays will sit down with their team and decide to deploy a certain number of extra officers at tube stations, trains and town centres. They know how much that extra deployment will cost and that such costs are the direct result of the match that afternoon—if there were no match, the extra deployment would not be needed. It is not confusing, because the extra costs are clear-cut.

Damian Green: My hon. Friend would be right if the number of police officers needed in anticipation of a particular crowd, disorder or other problem that might require special policing measures were unambiguous. I am afraid, however, that that is not the case. The police already provide a policing service, which is their job, and deal with crime and disorder in town centres, railway stations and so on. It would be easier if the situation were as clear-cut as my hon. Friend has suggested, but I do not think that it is.

Eric Ollerenshaw: Last year, the Metropolitan police said that 18,000 police had been deployed over the year to police premiership football. Have the Government looked at the impact of that on other crimes that take place while those policemen are deployed ferrying supporters between railway, bus and tube stations?

Damian Green: My hon. Friend has made an interesting point, but the logic behind that argument is that we should stop holding big public events that might excite emotion or violence, because there will always be a knock-on effect on police costs. We have a police service so that people can go about their normal business, and for many people in this country, attending football matches is just that. I am not sure that it should be regarded as an alien imposition on the wider community.

My hon. Friend the Member for Cannock Chase made the ACPO case for full cost recovery, but football clubs play a key role in local communities and do a lot of good work in education and health. I am keen for them to remain in a position that enables them to provide those benefits to the community, and I do not want to tie them up with more red tape and obligations.

This issue will not go away, and it is clear that many people feel strongly about who should pay for policing premier league football. We must make progress on that. I recognise that the disparity between what premier league clubs are required to pay for policing and what police forces estimate the full costs to be could be interpreted as a form of subsidy. I argue, however, that that interpretation is too simplistic. It is important to remember that the provision of special police services extends beyond premier league football clubs to all organisations, both sporting and otherwise, that require such services. That includes non-profit-making local and community-led organisations, which must not be prevented from their activities by prohibitive policing costs.

Graham Jones: Will the Minister give way?

Damian Green: I apologise to the hon. Gentleman, but I have little time left. Having such a wide range of parties with an interest in policing makes the situation even more complex. As a result, a solution to the case of premier league football matches cannot be reached overnight. I agree, however, that increasing the clarity and consistency of existing guidance in the light of case law—such as the recent cases of Wigan Athletic and Greater Manchester police—could help to ensure a more reasoned approach to charging for special police services. That would help reduce the prevalence of disputes between event organisers, including premier league football clubs, and police authorities, while maintaining the all-important principle of local discretion.

I reassure my hon. Friend that Home Office Ministers are considering carefully all options to ensure a mutually beneficial resolution to the problem. We are not there yet, but an increasing body of evidence will enable us to get close to a solution that I hope will square the very difficult circle, and allow our successes in policing football over the past few years to continue, so that people can carry on enjoying football just as much.

Question put and agreed to.

4.59 pm

Sitting adjourned.

Westminster Hall

Thursday 19 May 2011

[PHILIP DAVIES *in the Chair*]

Constitutional Reform (Wales)

[Relevant documents: First Report from the Welsh Affairs Committee, Session 2010-11, HC 495, and the Government Response, HC 729.]

Motion made, and Question proposed, That the sitting be now adjourned.—*(David Jones.)*

2.30 pm

David T. C. Davies (Monmouth) (Con): This is the first time that I have served under your chairmanship, Mr Davies, and it is a great pleasure to do so. We have sat on the Back Benches for many years and have been impressed by the loquaciousness of Front-Bench Members from both sides of the House; sometimes, they have entertained us for so long that we have not had a chance to speak. Time is short today, and because I believe it important that all hon. Members should have the opportunity to contribute, I will limit my speech to 10 minutes. *[Interruption.]* Other hon. Members are entering the Chamber as I speak.

The issue of constitutional change and the Parliamentary Voting System and Constituencies Bill was the first subject considered by the Welsh Affairs Committee. It has been a great pleasure to work with all members of that Committee. The Select Committee system is one of the great unsung success stories of Parliament, and I wish that those members of the public who think that we spend all our time arguing with each other could see what goes on in a Select Committee. Despite the range of views, there is always room for compromise and agreement on certain issues.

Unanimously, members of the Welsh Affairs Committee had concerns about the changes to the constitution. The first issue that we looked at was the idea of holding a referendum on the same day as the Welsh Assembly elections. We expressed our concerns about that, and made clear our opinion that the Government needed to take measures to ensure that the referendum ran smoothly—which, to be fair, it did. There were concerns about timing and the counting of the vote, but there were not many spoilt ballot papers and I am glad that the two elections went smoothly.

Many concerns remain, however, over proposals to reorder the boundaries in Wales and reduce the number of Welsh MPs by a significant number, probably about a quarter. There are concerns about the impact that such a change will have on the ability of Wales and the Welsh people to ensure that their voice is heard in Parliament. I accept the point, made on a previous occasion by the right hon. Member for Torfaen (Paul Murphy), that the reforms will be one of the greatest changes since the Great Reform Act. Ever since that Act, Wales has been strongly represented to reflect the fact that it is a small nation that needs to get its voice across. I must add—this would not have been in the report—that that argument is somewhat weakened by the establishment of a Welsh Assembly. Hon. Members must take account of that.

Geraint Davies (Swansea West) (Lab/Co-op): As the hon. Gentleman will know, the Government continue to talk about greater democratic accountability and the reform of the House of Lords. Current plans are to get rid of 50 elected representatives from the House of Commons, including a quarter of Welsh MPs, and at the same time to introduce an extra 150 unelected Lords. There is no real chance of those reforms to the House of Lords going forward. Is the hon. Gentleman worried about having a greater proportion of unelected representatives and fewer elected representatives, and will he vote against that?

David T. C. Davies: The hon. Gentleman wisely anticipates a point that I am about to come to. I will return to that subject; he may hold me to that.

Let me make an obvious point that the Minister may wish to deal with. Wales is geographically challenging when it comes to offering representation. By that I mean that many of its communities are cohesive because of the topography of the area, and certain valleys make obvious constituencies. They may never contain the requisite number of people, but it is not terribly wise simply to say, "That can constitute a constituency, and we'll add a bit of the valley next door to get the numbers absolutely right."

A place that may look nearby on a map will not necessarily be easy to access. We already have areas in which it is challenging to be a good constituency MP. Constituencies such as Montgomeryshire and Brecon and Radnorshire are very large—I see my hon. Friend the Member for Montgomeryshire (Glyn Davies) is in the Chamber—and presumably they will get even larger. That will pose challenges for the MP who represents such a constituency.

To some extent, we are allowing a bandwagon to roll that suggests that all Members of Parliament are lazy and do not have enough to do, and that we should get rid of a few of them, and give others an extra 10,000 constituents because that will produce a good headline in the newspaper. I hope that that is not the case, but I fear that as a profession, MPs do not stand up for themselves and nor does anyone else stand up for them.

MPs have a right to be treated in the same way as any one else in the country; when I read in the press that MPs should be treated like anyone else, I say that I could not agree more and that it is about time that we were treated the same in every respect. That means, however, that if someone changes our terms and conditions of work with the stroke of a pen, we should be entitled to a certain amount of notice. If we are to be given a lot of extra work—I take my role very seriously, as do hon. Members from all parties—it is only right that we should be given time to prepare for that.

I promised that I would return to the good point raised by the hon. Member for Swansea West (Geraint Davies) and the proposals to reform the House of Lords. I could understand some of the desire to reduce the number of MPs from 650 to 600 were it not for the fact that at the same time we are increasing the number

[David T. C. Davies]

of Members of the House of Lords and are possibly about to elect them on an 80:20 basis—we will see whether that comes to pass.

It certainly looks as though it will be more expensive to manage the House of Lords. If we wish to act in a cohesive fashion, surely we should have considered the possibility of maintaining the number of MPs at 650. We could have reordered the constituencies so that they contained the same numbers of constituents, but we could also have ensured that they remained closer to their current state, without necessarily expecting MPs to do all sorts of extra work. I have no problem with working hard, but adding an extra 10,000 people to a constituency will present certain challenges. We should not jump to do that simply because it is demanded by the tabloids.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): How many of my hon. Friend's constituents have written to him asking for this matter to be treated as a priority?

David T. C. Davies: In all truth, hardly any constituents have written to me about this matter. A few have written to me to say that they are shocked and horrified by the fact that one in four Welsh MPs are going to disappear. I had to write back and say that I am also surprised and concerned, and that unfortunately they will have to fly the flag for me on the issue as I dread to think what the *Daily Mail* would say if it thought that I was simply trying to protect my job.

Members of Parliament work extremely hard at the moment, and I have no problem with them working harder in the future if that is possible. I do, however, have a problem with the timing of the legislation and the way that it has been introduced very quickly. I was surprised that there were not more opportunities to debate the matter, although I do not entirely blame the Government for that.

At least one Welsh MP, who is not present today, seemed able, at the drop of a hat, to deliver speeches that lasted more than an hour and covered different clauses of the Bill. That prevented us from reaching those amendments that applied to Wales. I listen to "Just a Minute" on Radio 4; he could easily have done "Just an Hour". To pay him a small compliment, I should say that he was quite entertaining and not many people can speak for an hour and be entertaining—at this rate, I will struggle to make 10 minutes.

Geraint Davies: He used to be a vicar, though.

David T. C. Davies: I am not going to name the hon. Gentleman concerned and I shall let that comment stay on the record.

Another issue that concerned us when we conducted the report was the evidence that we received to suggest that much of the information that the Boundary Commission will work on is out of date or inaccurate. Too many people who should be on the electoral role have not registered for one reason or another.

The Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Forest of Dean(Mr Harper), assured us that a great deal of work would be done to ensure that accurate numbers of people were recorded and that the information used to redraw the boundaries was accurate. I look forward to hearing from this Minister what work has been undertaken to ensure that everyone who should be on the electoral roll is on it.

Guto Bebb (Aberconwy) (Con): Does my hon. Friend agree that voter registration is of particular concern along the north Wales coast, where there is a transient population?

David T. C. Davies: I do agree, but the evidence that we had suggested that voter registration is an issue in all parts of Wales and perhaps particularly in some of the more urban areas. However, even if it is an issue in just one part of one constituency, it is a big issue, because this is about democracy and ensuring that everyone can exercise their right to vote. How big the issue is I cannot say, but I look forward to an explanation from the Minister.

Geraint Davies: Will the hon. Gentleman give way again?

David T. C. Davies: I will, but I am looking at the clock.

Geraint Davies: Will the hon. Gentleman not accept that a disproportionate—*[Interruption.]* I can't speak. I have lost my—*[Interruption.]*

David T. C. Davies: I will be happy to give way to the hon. Gentleman again if he wants. I apologise, but I did not quite hear what he said. *[Laughter.]* He is more than welcome to intervene on me again.

Geraint Davies: Will the hon. Gentleman accept that there is a disproportionate tendency for poorer communities not to register? The boundaries should really be based on the best estimate of the number of people eligible to vote, as opposed to those who are registered, given that young people, ethnic communities, people in private rented accommodation and so on are under-represented.

David T. C. Davies: I will not accept that. The evidence that we had was that significant numbers of people are not registered to vote. It was right that we asked the Parliamentary Secretary, Cabinet Office, who is responsible for the matter, to come back to us with further information about how that would be rectified, and he promised us announcements and assured us that action would be taken.

I do not think that we had enough evidence to say where the problem is most widespread. I certainly do not personally think that we should start redrawing the boundaries based on what is at best an educated guess as to what the problem might be—that is, having a look at constituencies and saying, "Well, that is not very affluent, and urban, so we think that X% are not registered. We'll just redraw the boundary on that basis."

Roger Williams (Brecon and Radnorshire) (LD): The hon. Gentleman makes a very important point. A number of hon. Members have campaigned to increase registration for a long time, not just in relationto this issue. We have just had a census. Will the Electoral Commission be able to use the information revealed by the census in its calculations and judgments?

David T. C. Davies: I should perhaps take it as a compliment that the hon. Gentleman asks me that question which probably ought to be asked of the Minister. I am tempted to say that I will check with my officials and write to the hon. Gentleman. In fact, I do not even have a researcher working for me in London, but I am sure that the Minister will reply for me in a few minutes' time.

Alun Michael (Cardiff South and Penarth) (Lab/Co-op): The hon. Gentleman may be aware of the work done by the Committee on Standards in Public Life during my period as a member of that Committee, which highlighted the failure of the Electoral Commission to exercise the powers that it already has to encourage consistency of registration throughout the country. Is not one of the points that we can agree on that the consistency of registration needs to be driven up in advance of the move, which all parties have supported, to individual registration, because the transition from one system to another is a potentially fragile period that could make a bad situation worse?

David T. C. Davies: Yes, I think we can all agree on that. I can only say that in evidence the Minister promised that there would be very strong action to rectify the problem. It is probably a failing on my part, but I am not yet absolutely certain that I know what that action will be. I am sure that we will all be enlightened today.

The Boundary Commission said to us that it would look purely at numbers. When it gave evidence, it said that this was a numbers game and nothing else would come into the equation. It said that it would not look at the topography, the geography, the geographical size of a constituency, the local authority boundaries or anything else; it would look simply at the numbers. Since that evidence was given, I have detected a slight change in tone, in that the Boundary Commission is now talking about trying to match up local authority boundaries where it can. But this will be primarily about numbers.

Alun Michael: Just to be clear, is the hon. Gentleman now talking about the intentions of the Boundary Commission, as distinct from the standards improvement that I was talking about in relation to the Electoral Commission? I think that the two points are consistent as long as we are—

David T. C. Davies: The right hon. Gentleman is absolutely right. I fully accept the point that he made about the Electoral Commission. I am coming to the end of my allocated time now, but that is what the Boundary Commission has said. Its original evidence worries me. The messages that have been coming out since then reassure me a little, but we will still end up with completely different constituencies and with one in four MPs in Wales disappearing.

We have not stood up for ourselves; we have been afraid to stand up for ourselves. The vast majority of people in this Chamber and in the House of Commons work very hard and do a very good job. To some extent, we have been pushed into accepting the proposals, because we are afraid that we will be seen to be self-serving if we do not accept a large cut in our own numbers. It becomes much harder to justify cutting the number of MPs on a cost basis if at the same time we are going to spend large sums funding the House of Lords, whether they be elected, appointed or a mixture of both.

If the Government support the role of the Back-Bench MP in holding Ministers to account through forums such as the Select Committee on Welsh Affairs, they also need to explain to us what will happen to the number of Ministers. I hope that if we are looking to save money by cutting the number of MPs, there will be consistency and that that will be applied to Ministers as well.

2.47 pm

Paul Murphy (Torfaen) (Lab): It is good to take part in a debate under your chairmanship, Mr Davies. Your surname is a Welsh surname of considerable importance, so I am sure that you were interested to join us for this important debate. I agreed with every single word that the hon. Member for Monmouth (David T. C. Davies), my constituency neighbour, said. The only problem is that there are plenty of members of the Government who did not and, indeed, it may be too late for some of the excellent points that he made to be effective.

One of the good aspects of what is happening this afternoon is that the Welsh Affairs Committee was the only body—the only institution—in Parliament that dealt properly with the question of constituency boundaries in Wales. Hon. Members will know that, on the Floor of the House, the issue of Welsh boundaries was never reached. There was a considerable and excellent debate in the other place, but not in the House of Commons. Similarly, we asked the Secretary of State for a sitting of the Welsh Grand Committee so that all Welsh Members of Parliament could discuss the most important issue that affects our constitution, but we were refused.

When we couple that with the fact that we seem to have lost our Welsh day debate, despite my attempts and those of the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) to ask the Backbench Business Committee to ensure that we did have a debate on Welsh matters, which has been the case in the House of Commons since 1944, we see that the opportunities that we could have had have been missed. Nevertheless, the fact that the hon. Member for Monmouth has initiated this debate is to be welcomed.

Alun Michael: My right hon. Friend has made an extremely powerful point about the St David's day debate. That has always been regarded across parties as an important element in the year. The suggestion that it can be ignored and pushed to one side by regarding it as Back-Bench business is wrong. It is surely business that should be dealt with in Government time, as has always been the case in the past.

Paul Murphy: Yes. It is ironic that the Secretary of State has written to the Backbench Committee arguing that there should be a Welsh day debate; I guess the right hon. Lady will now have to argue with her Cabinet colleagues and the Leader of the House to ensure that we have a debate to discuss Welsh matters on the Floor of the House.

[Paul Murphy]

The hon. Member for Monmouth did not touch on one excellent point made by his Committee, which is that there was insufficient time for the changes to be debated, and that no draft legislation has come before the House on this important matter. That contrasts entirely with the way in which the Government are dealing with the reform of the House of Lords, where there is a draft Bill, a White Paper, a Joint Committee and an attempt at consensus. None of those were the case for the Bill that we are discussing today. That is to be regretted, because my experience of dealing with constitutional matters, which goes back some years, is that such reform will never last unless there is a foundation of consensus. If they are seen to be wholly partial, which I believe the present proposals are, they will not be of lasting value to our country. The Welsh Affairs Committee was very wise when dealing with the matter.

I have a great deal of time for the Minister, and I welcome him to this debate, but it would be nice now and again if his boss were to turn up. I twice held the post of Secretary of State over a five-year period, and whenever we had important debates on such subjects I thought it important that the Secretary of State for Wales should attend. It has not happened in this Parliament. The only time that the Secretary of State for Wales has dealt with the issue is in reply to the odd question or two at Question Time. There has been no debate. Indeed, she stopped the Welsh Grand Committee debating the matter, so we do not know what she has to say about the fact that 25% of Welsh Members will be losing their constituencies.

Since the Welsh Affairs Committee produced its report, we have had a referendum; that has given legislative power to the National Assembly, and a new National Assembly and Executive have been elected and appointed. The impact of that on the role of the Secretary of State is, if nothing else, hugely significant. Even at this late stage, I still make the plea that, before the summer recess, the Welsh Secretary liaises with the Leader of the House so that the Welsh Grand Committee can debate the matter.

I will not take up much more time because other Members wish to speak, but I want to emphasise one important aspect of the Union. I am a unionist—with a small "u"—and I believe that the union of Northern Ireland, Scotland, Wales and England has proved successful. In Northern Ireland, it is for the people there to decide what to do—the principle of consent. We have seen dramatic changes in the last couple of weeks in Scotland and in Wales as a result of the elections. However, I fear that unless the Conservative party in Britain listens to the Conservative party in Wales—there is a big difference —we are heading for big trouble.

The Prime Minister talks about fighting for the Union with every fibre of his being. I understand that, and I do not doubt his sincerity for a second. However, what has happened to Wales's constitution and its relationship to the House of Commons and Parliament over the last year shows that we must be very careful in what we do. As the hon. Member for Monmouth said, the reduction in the number of Members is not simply about the same number of MPs representing the same number of constituencies and the same number of electors as with English or Scottish seats. We have a United Kingdom that, by definition, represents the nations within it, and if we reduce the number of MPs in Wales by a quarter—a disproportionate reduction from 40 to 30—their influence in the House of Commons and in Government will be seriously weakened. We have made that point to the Government time after time, but they have shut their ears.

The Parliamentary Under-Secretary of State for Wales (Mr David Jones): I am most grateful to the right hon. Gentleman for giving way. He makes a point that he has made previously on the Floor of the House and on the last occasion when we debated the matter in Westminster Hall. How does he get over the need for equality in terms of vote? Is it not the essence of democracy that everyone's vote, wherever in the country it is cast, should be of equal validity? Is it not the case that, if Wales were disproportionately advantaged, that principle would be broken?

Paul Murphy: Wales can never be disproportionately advantaged. Even now, we have only 40 of the 659 seats. Whatever England wants to do, it can do through its Members of Parliament. It can overwhelmingly outweigh the Members of Wales, Scotland and Northern Ireland put together. There is never a case where that cannot happen.

David T. C. Davies: With all due respect, the right hon. Gentleman slightly avoids the question. With the advent of the Welsh Assembly, Members of Parliament in England cannot do anything about the health service in Wales, nor about education, roads and the many other issues about which our constituents write to us.

Paul Murphy: We now touch on the other point that I intended to raise before concluding—the so-called West Lothian question.

There will be a reduction in the number of Members of Parliament—it will be a huge reduction, and it will weaken Wales's voice here, even though it would not influence what happens in Parliament—and the answer to the West Lothian question will mean that Welsh Members of Parliament will be of a different type from the English MP. We will have different types of Members in the House, some MPs being able to vote on this and some on that. That is unknown in any other European country and, as far as I am aware, in the world.

A reduction in the number of Welsh MPs, a reduction in their rights, a constant grizzling and grumbling about the Barnett formula, the fact that people think that Wales does better than parts of England, the fact that we can do different things in Cardiff and Edinburgh and Belfast—student fees, for instance—which is what devolution is all about, and the way in which the House deals with Welsh business, with the Welsh day debate disappearing, all add to the case for separatism, and not for the Union.

Mr David Jones: I am most grateful to the right hon. Gentleman for giving way again. He touches on an extremely important. I entirely agree that the West Lothian question is vital; in my view, it has not been properly addressed and should have been addressed prior to the establishment of devolution.

I want to deal with the question of the number of Welsh MPs. Did the right hon. Gentleman read the evidence given to the Welsh Affairs Committee by Professor Richard Wyn Jones? The professor said that it was "hard to imagine" how the reduction in the number of Welsh MPs could have a

> "huge impact in terms of the Welsh voice in Westminster, particularly because, on the whole, Welsh MPs do not behave en masse as a single block."

Paul Murphy: I believe that we do behave en masse in representing Welsh interests in the House of Commons. The fact that the Welsh Affairs Committee unanimously and across parties agreed on the matters raised by the hon. Member for Monmouth shows that there are many occasions when Welsh Members come together in the interests of Wales. I do not know the professor, but I do know that he is not a Member of Parliament, has not served in the House of Commons and does not know what can happen here. These people can have their academic discourses and theses and the rest of it, but the practicalities of politics are such that Welsh influence can be exercised here only by Welsh Members of Parliament.

Nick Smith (Blaenau Gwent) (Lab): I thank my right hon. Friend for giving way. He is giving a powerful discourse on the importance of having a Welsh voice in Parliament. Does he agree that it is absurd for Government Members to talk about the importance of equal representation across the UK and of reducing the number of MPs, while at the same time stuffing the House of Lords with their supporters?

Paul Murphy: That is because the Parliamentary Voting System and Constituencies Act 2010 was born in a partisan way. Had it been dealt with like the legislation for reform of the House of Lords or other constitutional legislation, and a consensus arrived at, we would not have the present trouble. People simply see it as a means of cutting the number of Welsh Members of Parliament. The chances are that more Labour MPs are likely to be cut than those of other parties—we do not know; it could be the other way around—but we all ought to be fighting for Welsh Members of Parliament to have their say strengthened in a United Kingdom Parliament rather than weakened.

Alun Michael: Does my right hon. Friend not find it ironic that the capacity of Welsh Members of Parliament to work together and speak with one voice was illustrated through the calling of a meeting—the first for many years—of the Welsh parliamentary party specifically because the Secretary of State was not listening to Welsh MPs speaking with one voice? Does he not think that there is very strong representation and strong teamwork across Welsh MPs and that the analysis quoted by the Minister is simply misplaced?

Paul Murphy: I entirely agree with my right hon. Friend and that was why a meeting of the Welsh parliamentary party was called.

Roger Williams *rose—*

Paul Murphy: I will give way in a moment. I just want to finish my point regarding the consensus among Welsh Members, including Welsh Conservative Members. I am beginning to feel that there is a belief among some Conservative Members of Parliament—I exclude all Welsh Conservative MPs from this criticism—that they would be better off with an English Parliament, without Welsh or Scottish Members of Parliament, and that does a great disservice to the Conservative party because both in Wales and Scotland it is still a powerful political force. We should all join together to ensure that Welsh MPs, whether they be Conservative, Plaid Cymru, Liberal Democrat or Labour, can express their views in this place.

Another issue is that Welsh-speaking constituencies will find themselves with less representation in this Parliament than they would have done under the current system of the 40 MPs. Again, try to explain that to an English Member of Parliament. All of us know how important it is that Welsh-speaking Wales is represented here, not least because there are issues affecting the Welsh language that are still dealt with in Parliament.

Roger Williams: I agree that we should have had the opportunity to debate this matter in full—whether it be on the Floor of the House, in a St David's day debate or a Grand Committee debate. However, I am in disagreement with the right hon. Gentleman. When Welsh MPs come together on a particular matter, it does not matter whether we number 30 or 40. But if we started off with 30 Welsh MPs, could we honestly argue to be increased to 40? It seems to me that that argument just could not be made.

Paul Murphy: It will be the fewest number of Members of Parliament representing Wales since 1832. I am not convinced that 30 is a sensible and reasonable representation, which is what every country must have. I am not saying that each constituency should not be equally sized in terms of numbers, but an amendment was tabled in the other place that sought to ensure that there was a variation of 10% as opposed to 5%. A 10% variation would, in many ways, have solved the problems to which the hon. Member for Monmouth rightly referred in terms of our geography, our values, and our rural seats. If we had had that flexibility, the distorted seats that we will end up with in Wales would not have happened.

In conclusion, I do not want to see the Conservative and Unionist party becoming the Conservative and Separatist party, and I am saying that as a Labour Member of Parliament. There is an onus on all of us who represent Welsh constituencies to ensure that the Government listen and that we are not heading towards an English Parliament as opposed to a United Kingdom one.

3.3 pm

Chris Evans (Islwyn) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Davies. Like my right hon. Friend the Member for Torfaen (Paul Murphy), I pay tribute to the Welsh Affairs Committee for being the only Committee that has debated this issue in some depth. I also pay tribute to its Chair for his succinct and articulate speech. I agree with many of the things that he has said.

The most important thing that has come out of this report is the haste with which all this is being done. Sometimes, when I sit in the House, it feels as though

[Chris Evans]

policies are being plucked out of the air. Under discussion is the biggest constitutional change in a generation. It is far bigger than the Welsh Assembly and the foundation of the Scottish Parliament. However, we, as Members of Parliament, have not had the opportunity to debate it. We have not had pre-legislative scrutiny, a Joint Committee to consider the change or, as my right hon. Friend has said, any consensus.

A myth has been perpetuated by the coalition ever since the expenses scandal. There is a belief that all politicians are wrong to want to come into public life. Suddenly, we are plucking solutions out of the air. It has been said that we need to change our electoral system and that we need to work harder. We have no empirical evidence on how hard MPs work, yet we are told that we need to work harder. Now we are told that people want fewer MPs, but such a change will fail without proper scrutiny and sufficient time.

I do not mind debating constitutional issues. When we talk about the West Lothian question, it always comes down to one thing—we are looking at it from the wrong point of view. We are looking at it from the point of view that Welsh MPs cannot vote on health or transport issues in Wales. If we use that logic, we could ask why London MPs are allowed to vote on policing issues when policing is devolved in London. It does not make sense. When we talk about any future devolution or any constitutional change, we have to consider the issue from the basis of the whole of the nation. We have to consider how devolution fits into the regions. However, we are not talking about that. This place is not the English Parliament, and it has never been the English Parliament. This place is the Parliament of Great Britain. When we talk about English votes for English MPs on English-only matters, we have to ask ourselves where in the constitution it says that this is the English Parliament. Perhaps I am being cynical, but the way in which this is being rushed through makes me feel that this is not a constitutional change, but political gerrymandering of the highest kind. It is based not on any rational argument, but on a policy of one size fits all.

We have already heard about rural areas, but let us look at some of the constituencies in detail. The old constituency of Meirionnydd Nant Conwy, which is now Dwyfor Meirionnydd—the right hon. Member for Dwyfor Meirionnydd (Mr Llwyd) in not in his seat at the moment—will probably be unmanageable. Montgomeryshire will be huge. Does that mean more money will be provided for the Members of Parliament who will represent those two constituencies? I do not think so. Where did this idea come from? Wales is not a special case, yet Orkney and Shetland and the constituencies covering the Western Isles of Scotland and Isle of Wight were pulled out? Why were they pulled out? We just do not know.

Nick Smith: Lib Dem seats.

Chris Evans: That is cynical, but it is what we have to think.

Geraint Davies: Conservative seats.

Chris Evans: Sorry, Isle of Wight is a Tory seat.

I was working with my predecessor when the Government of Wales Act 2006 was debated. The 2006 Act stated that Assembly seats must be co-terminous with Westminster seats, but that has suddenly been thrown out of the window. It is as if the Government are saying, "Okay, we will just decouple." Where we have an Assembly Member, the imperative is to build a close relationship with them and to work on issues such as health and education, but that will go completely out of the window. We will have a situation in which people will say, "Who is my Assembly Member? Who do I pass this on to?" This seems to be—for want of a better term—absolutely crackers.

We have already talked about the democratic deficit. Despite the fact that Wales represents 5% of the UK population, its constituencies will be reduced by 20%. Wales will send 25 fewer MPs here. Northern Ireland will lose some 17%; Scotland will lose 9%; and England, which is Tory dominated, will lose 5.5%. We have to ask ourselves why Wales has been disproportionately targeted. I wonder whether it is because we have a history of sending back Labour Members of Parliament. Will Swindon, which has two Tory MPs, be reduced to just one seat? Will other places, such as Cheltenham and Gloucester—I know Cheltenham quite well—be reduced to one seat? Will Tewkesbury, the Cotswolds and Cheltenham, which have three Tory MPs, be one seat? I wonder. We wait and see.

Roger Williams: Cheltenham is a Liberal Democrat seat.

Chris Evans: Sorry, I did not say Cheltenham. I should correct the hon. Gentleman. Cheltenham is a Liberal Democrat seat, but I said that the Cotswolds, Tewkesbury and Gloucester were Tory seats.

Karen Lumley (Redditch) (Con): I am obviously an English MP, but I am proud to have spent most of my adult life in Wales, and I certainly consider myself a Conservative Unionist MP. Wrexham, where I brought my children up, has an electorate of 51,000, but Redditch, which I represent, has an electorate of nearly 70,000. Does the hon. Gentleman think that that is fair?

Chris Evans: That argument has been brought out all the way through. To use the American example, however, we do not hear people in California, which has 37 million electors, saying that they deserve more senators than Wyoming, which has 544,000.

The other thing about Welsh constituencies is that they are different. The Cotswolds, Tewkesbury and Cheltenham are all flat, so they can be put together. In Wales, however, we have rivers and mountains. As somebody once said to me at a Labour party grand committee meeting, "Islwyn was not created. It was given to us by God." I do not know whether that is true.

Paul Murphy: That is true of all our constituencies.

Chris Evans: Yes. Big mountains separate Blaenau Gwent from neighbouring constituencies.

Stuart Andrew (Pudsey) (Con): Has the hon. Gentleman ever been to other parts of England, where there are mountains and rivers? The same argument could apply to those places. We have huge constituencies. North Yorkshire, for example, has constituencies that meet the criteria that he has described, but they are twice the size of many constituencies in Wales. Why is that different?

Chris Evans: The point that I was coming to is that we have local links in Wales—communities are linked to each other and have common bonds. The hon. Gentleman represents an English constituency, but if he wanted to discuss the point, he should have made a speech.

Geraint Davies: Does my hon. Friend agree that Wales is, in essence, a small country next to a very large country that is 15 times its size? If we want a sustainable Union and a respect agenda, we should remember that Wales has always had slightly more MPs than England. That is the fundamental point: tearing up the Union is the cost of gerrymandering a sustainable Conservative Government. Wales is a small country sitting next to a big one, so we should have a few more MPs. That is all this is about.

Chris Evans: That leads on to my final point about the policy overall. Perhaps I can look at the issue from a wider angle and step outside Wales for a moment, if you will allow me, Mr Davies. We are a nation state, and what seriously worries me about this exercise is that it is based on figures rather than communities. In that respect, I am glad that I followed my right hon. Friend the Member for Torfaen, because he knows about the situation in Northern Ireland, where wards and constituencies must strike a fine balance and could cause major problems. However, we have had no scrutiny of any kind, so these issues have not come out.

The coalition has hung on to its belief that people distrust politicians, but when people voted no for AV, they dispelled the myth that it was constitutional reform that we needed; we actually need to reconnect with people. Forcing through the proposed changes will mean more disconnect and people being more removed from politics, and that is a dangerous game. I therefore finish by paying tribute, as I did at the beginning, to the Welsh Affairs Committee, which is the only Committee to have looked at this issue properly.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC) *rose—*

Philip Davies (in the Chair): Order. Two more Members are seeking to catch my eye. I intend to call the Front-Bench spokesmen at 3.30 pm, so if Members could show some restraint, that would be helpful.

3.14 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): It is a pleasure to serve under your chairmanship, Mr Davies. The hon. Member for Islwyn (Chris Evans) is always a tough act to follow. I was hoping to make a hard-hitting speech, but I fear that my contribution might be somewhat timid in comparison with his. I want to concentrate on two specific issues. The first, on which all parties in the House have concerns, and which has been the focus of the debate so far, is the number of MPs who serve the people of Wales in Westminster. The second is the opportunities that the proposed Calman Cymru process may offer democracy in Wales.

Let us be in no doubt that the reason why the UK Government have introduced their proposals to cut the numbers of MPs from 650 to 600 is purely partisan. In nullifying the Celtic bias, the Prime Minister's aim is clearly to enhance his electoral prospects at the next general election. We should ignore the spin surrounding equal-sized constituencies: if they undermined the Tory party's electoral prospects, they would not be on the table.

I must admit that it is strange, as some Labour Members said in their contributions, that these changes are being introduced by the Conservative and Unionist party. Reducing Welsh representation in this place by a quarter will inevitably severely undermine the influence of Wales in this Parliament. The Westminster Parliament represents four distinct nations, and its make-up has always reflected that fact to avoid it becoming dominated by English representatives. Central Lobby, with its murals of the patron saints—St David, St Andrew, St Patrick and St George—is a reminder of the historical role played by the Westminster Parliament.

Many Members will undoubtedly be surprised to hear me make such points, because there will be no Welsh representation here at all if Plaid Cymru's ultimate aim is achieved. However, as long as so many key political fields remain reserved, there is a role and a need in this place for Welsh MPs, and particularly Welsh Plaid Cymru MPs. *[Interruption.]* I am glad to see some Members nodding.

David T. C. Davies: I am grateful to the hon. Gentleman for making such an important point, which I fully agree with. For as long as Wales remains part of the United Kingdom, he and other Welsh Members should of course be allowed to take their places here. In the same way, people who did not agree with devolution or the Welsh Assembly, and who still have questions about it, have every right to sit in the Welsh Assembly if they are elected to it.

Jonathan Edwards: I am grateful for that, and I will stick the hon. Gentleman's endorsement in my next leaflet.

I am not against reducing Welsh representation in the House of Commons as a point of principle. However, any reductions should take place only after the devolution of political fields of responsibility. I do not, therefore, accept the argument that the successful March referendum justifies reductions in the number of Welsh MPs. The referendum did not devolve extra fields of power, but merely secured sovereignty over currently devolved fields. If we were to have the same devolved fields of power as Scotland, however, I would see the case for reducing the number of Welsh MPs.

For the remainder of my speech, I would like to concentrate on the UK Government's proposed Calman process for Wales and its constitutional implications. I seriously hope that the Wales Office is not proposing a rerun of the Scottish experiment, which was a stitch-up by the Unionist parties and has now backfired spectacularly. The government of Scotland Bill that followed the Scottish Calman process lies in tatters because of the Sewel convention. There is no way the majority Scottish National party Government in Scotland will accept a Bill that totally ignores their views on the way forward

[Jonathan Edwards]

for their country. I therefore hope that the Calman Cymru process will be fair, open, transparent and free from political influence.

To date, much of the debate surrounding the Welsh Calman has been about finance. The Holtham report is unlikely to be bettered, so the best course of action for the UK Government would be to accept its detailed recommendations. Reform of the Barnett formula should be a precondition for any further financial changes, but I am concerned at the noises that have come from the Treasury to date. That will be a major challenge for the new Welsh Government, and all their rhetoric about standing up for our country will be seriously tested on this single issue.

However, I welcome the fact that the Calman Cymru process will reopen debate about the Government of Wales Act 2006. In particular, we will have the opportunity to revisit the gerrymandering carried out under the Act by the then Labour Government in Westminster. The section introduced in 2006 to prohibit candidates from standing in regional lists and constituencies should be overturned. A similar ban exists only in Ukraine, and it is high time that we in Wales joined the rest of the democratic world.

The Calman Cymru process is also an opportunity to revisit the electoral make-up of the National Assembly in time for the fifth Assembly. My personal preference would be for us to increase the membership of the National Assembly to 80, as advocated by Lord Elystan-Morgan. Those 80 Members should be elected by a single transferable vote system. When the government of Wales Bill, which follows the Welsh Calman process, comes to this place, I will call for amendments to that effect, unless such provisions are already included in the Bill.

Jessica Morden (Newport East) (Lab): Does the hon. Gentleman think that there is any appetite in Wales for yet another prolonged period of navel-gazing?

Jonathan Edwards: I am grateful for that intervention, but we have the Calman process and, following questioning last Wednesday, it was confirmed that such issues will be debated. The Bill will be an opportunity to address grievances that some of us have with the current settlement.

Paul Murphy: I am following the hon. Gentleman's arguments with great interest. I agree with some of them, but I am doubtful about the appetite in Wales—or the UK, for that matter—for introducing any other systems of proportional representation. It is daft to argue that the overwhelming vote against AV was because people wanted STV. People want a first-past-the-post system, so would it not be a good idea to have 60 or 80 AMs elected, two per constituency, by first past the post?

Jonathan Edwards: I totally disagree with that, of course. When the Parliamentary Voting System and Constituencies Act 2011 was a Bill before the House, I argued for the referendum to be held on STV, not AV. That was about a vote for the Westminster Parliament, and my preference for developing democracy in Wales is a plural, proportional system. I will get to that point when I conclude my speech.

During the passage of the 2011 Act, I welcomed the clauses that decoupled the Westminster and National Assembly boundaries; it was common sense to include them in the Act. My colleague the hon. Member for Pontypridd (Owen Smith) had a sparring session on BBC Radio Wales in the very early hours of Sunday morning on that issue. The Labour party was vehemently opposed to the decoupling; its preference was for coterminosity. From the point of view of organising local party structures, I can see the argument. They would be a total nightmare to organise locally with different boundaries for the Westminster and Welsh elections.

Nick Smith: It is not only about party organisation. Coterminosity is important for talking to borough councillors and chief executives, and the managers of local health services and housing associations. It helps us to make an impact as MPs with local civic society. Surely we should keep that.

Jonathan Edwards: I do not disagree with the hon. Gentleman. Coterminosity is favourable.

Given that, as a point of principle, Labour is opposed to decoupling and the Tories to PR, one way to achieve consensus might be to re-adjust the National Assembly boundaries to be coterminous with the new Westminster boundaries. Such a reform would have the added benefit of being more proportional. Diolch yn fawr iawn.

3.23 pm

Alun Michael (Cardiff South and Penarth) (Lab/Co-op): I am grateful for the opportunity to comment briefly on one or two of the issues that have come up in the debate, which has revealed the fragile nature of our discussions about democratic arrangements.

It is a mistake for proportions and figures during a general election to be the only issues that determine the size of constituencies or which constituencies are represented. In the House, we are referred to by our constituencies rather than by our personal names, and that reflects the fact that we are accountable to an identifiable constituency of people; that is where the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), in making the case for single transferable vote or another proportional system, misses the point. He made a powerful case, with which I agree, about the different countries of the UK being represented disproportionately to reflect another element in democratic accountability. That is something that we ignore at our peril.

If we look merely at arithmetic and not at accountability, we will end up with the sort of situation that we have in the European elections. MEPs already represented large constituencies—the size of something in the order of seven or eight Westminster constituencies—and they now represent people in the whole of Wales. By and large, following an election, more or less the same people are returned—albeit in a different order, so someone is higher up the list—and the situation is the same with the regional lists for the Welsh Assembly.

It is important to look at the relationship between MPs and AMs. One or two hon. Members have touched on that point. During the first period of the Assembly, my AM, who stood down at the last election, was an incredibly close colleague because we served and were accountable to the same constituency; my hon. Friend the Member for Blaenau Gwent (Nick Smith) made that point. As we have seen in Wales, it is difficult enough to ensure that the relationship between AMs and MPs is adequate, strong and effective, because many of our constituents do not know who has which responsibility—they are not terribly interested; they just want a response. An MP and an AM working together can give very powerful representation in this place, and that is extremely important.

Accountability is an important part of democracy. Democracy cannot be served only by artificially constraining the number of electors. Of course there needs to be proportionality and a system needs to be as sensible as possible and as near to a norm as is practical, but it also needs to respect the nature of communities and democracy. In the reorganisation of local government in 1973, the legislation referred to an important principle, which was the starting point for building up the wards that councillors represented. It was to look at how people identify themselves and within what community, and to identify the wards and councils only as an aggregation of the communities that the local people identified. That principle should apply in constituency representation too, but by and large it will go out of the window as the new constituencies are identified and developed for new parliamentary representation.

On how to deal with the number of AMs, I argued for a different arrangement from the one that the then Secretary of State, Ron Davies, brought forward, which he had argued for in opposition. That system was the one that we have—of 30 Members and top-up regional arrangements. The disadvantage is that, in elections, more or less the same people are likely to be returned in more or less the same order.

Guto Bebb: Is not the real issue with the list system the fact that it is a closed list? At the recent Assembly elections, electors in Wales could not even choose a name from the list, but simply voted for a party. That is a dereliction of democracy.

Alun Michael: The alternative to that, which would also be simpler, would be regional lists by party; how people voted in constituencies would determine who was elected. People are very confused about having to vote a second time and they are not sure what they are voting for, although the hon. Gentleman will have been pleased to note that they overwhelmingly voted for the Labour party across Wales.

I suggested a system of two Members per Westminster constituency elected by alternative vote, which would have given roughly the same degree of proportionality as we have now, but retained the accountability to a constituency. I hope that we do not lose that accountability for Wales, that a method is found of ensuring that the Assembly has the appropriate number of Members and that we do not lose for ever—even if we do lose it for a short period—the coterminosity between Assembly and Westminster constituencies. It is a strength of the system that I want retained and, if we lose it for a period, I want it to return as quickly as possible.

3.29 pm

Owen Smith (Pontypridd) (Lab): Thank you, Mr Davies, for calling me. It is a pleasure to serve under your chairmanship for the first time.

I will start by saying that it is slightly unusual for me to speak on the Front Bench today, as I am following the precedent of the Minister when he was in my shoes, as it were, in Opposition. Like me, he was a member of the Welsh Affairs Committee in Opposition. It is the Committee's report that we are debating today and therefore I can say to the hon. Member for Monmouth (David T. C. Davies), who is the Chairman of the Welsh Affairs Committee, that I add my support for the way that he chairs the Committee generally and particularly for the way that he chaired it while this report was being produced. He brought us to a point of considerable agreement across all parties and today he elucidated very well the arguments that we had during the weeks that we debated the Bill. I was less certain about the transformation that he underwent during his speech into a shop steward for MPs from all parties. I certainly will not go so far as the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) in putting the hon. Gentleman's commendations on my election literature. Nevertheless, the way in which he spoke up for MPs today is very welcome.

The Bill represents what the Committee referred to as a "profound change" to the constitution of the UK Parliament and particularly in respect of Wales, and we have heard that spelled out in different ways by different Members today. Reasonable Members of Parliament cannot argue with that conclusion, because any change that diminishes by fully 25% at a stroke the political representation of a country is a profound change. Any change that breaks a parliamentary protocol in respect of the representation of one country in a Parliament that has been established for almost 200 years—as we heard from my right hon. Friend the Member for Torfaen (Paul Murphy), that protocol was established in the Great Reform Act of 1832—is a profound change. That protocol established an over-representation, if you like, for Wales, but it is an over-representation that is designed to reflect the asymmetrical nature of the Union that we have between Wales, Scotland and England, and to offer some protection and insurance that the junior partner in that Union—that is, Wales—does not have its voice drowned out by the leviathan—that is, England—on its border. I believe that the changes that we are discussing potentially threaten the Union, and any such change is absolutely a profound change.

One of the great disappointments for the Opposition during the all-too-hasty passage of the Bill was the seeming inability of the Government to acknowledge the arguments that many people from across the House—on the Tory side as well as on the Opposition side—were making. For the Opposition's part, I feel that we acknowledged that there is an important argument to be made about equality and fairness in representation being observed and implemented, to the extent that that is possible in representation between different constituencies. We acknowledged that that is an important and long-standing priority.

However, that is not the only consideration or priority that ought to have been considered by the House. It was profoundly disappointing that the Government singularly refused to acknowledge that there might be

[Owen Smith]

other considerations, and I suspect that we will hear something similar in a moment from the Minister. The principal one among those other considerations is the importance of giving insulation and protection to the junior partner in this asymmetrical union that we have, and the corresponding danger of changing that balance and the voice of Wales being singularly diminished in Westminster.

The Committee's report was quite prescient in giving warnings about those dangers. We have heard today from my hon. Friend the Member for Islwyn (Chris Evans) that it was prescient in its warning that the changes being proposed could lead to a diminution of trust in politics. The Government told us that the rationale for pursuing the Bill was, in many respects, to try to rebuild trust in politics, which we all accept has been damaged in recent years. However, the Opposition fail to see how removing politicians further from the electorate and increasing the gap between electors and elected will help to rebuild trust. If anything, a rational observation is that it is likely to do the reverse and increase people's mistrust in politics, especially when people look at these changes and understand—as we in the Opposition understand—that they are motivated by a partisan rationale.

The hon. Member for Carmarthen East and Dinefwr and my right hon. Friends the Members for Cardiff South and Penarth (Alun Michael) and for Torfaen, who are both former Secretaries of State for Wales, and indeed other Members have already discussed the next point that I want to make; in particular, my right hon. Friend the Member for Torfaen spoke with great power about it. It is that we are deeply concerned about the impact that this change will have on the Union.

Nationalist politicians, with their variable success at the recent election, are undoubtedly emboldened in some respects by the change that is being proposed. For all that we hear the hon. Member for Carmarthen East and Dinefwr talk about the importance of representation in this place, I think that nationalist politicians are emboldened by the extent to which the Bill and some of the other things that we have discussed today are putting the debate about the Union at the top of the agenda. The Bill and the other issues that we have debated are throwing into question the constitutional settlement that we have understood for the last 200 years—indeed 300 years—and challenging us to think about what we mean by the future of devolution, how Wales is to be represented and what balance is to be struck in the light of devolution.

I agreed with the Minister when he said in an intervention that perhaps we had not fully thought through the implications of devolution. We now need to do that and to think holistically about all these issues instead of doing what I fear is precisely the Government's intention, which is to look at them piecemeal and for party advantage.

I share the concerns of my right hon. Friend the Member for Torfaen that, for all the Prime Minister's avowed intention to fight with every fibre of his being for the Union, we are hearing far too much from Conservative Back Benchers who are resentful of Wales. They are resentful of the different decisions that are being made in Wales and of what they perceive to be the parts of the UK, including Wales, that are both politically hostile—they do not elect Conservative candidates—and economically dependent, which is the bit that really worries me. There is an ugly spirit at the back of those concerns that Wales is getting more than it is due and that Welsh needs are being over-accommodated, both in terms of political representation and the economy.

Geraint Davies: Does my hon. Friend agree that there is a worrying and increasing number of Conservative MPs who take the view that having separation of both Wales and Scotland from England would be a price worth paying to have a perpetual Conservative Government running England?

Owen Smith: I share some of the concern about that issue. I do not think that my hon. Friend is overstating the case, because we have heard far too many noises off from Conservative MPs that lead us to fear that many of them think that breaking up the Union would be a price worth paying. I certainly do not share that view and I do not think that any Opposition Members do either.

Another area that we have touched on today and that the Committee's report was again prescient about is the impact on the National Assembly of the changes that are being proposed. During the passage of the Bill, we were repeatedly told that breaking the link between elections in constituencies in Wales for the National Assembly and elections for Westminster effectively meant that the National Assembly would be unaffected by the Bill. However, it is only a couple of short weeks since the Bill's passage and already we have heard the Secretary of State for Wales, in response to a question put by the hon. Member for Carmarthen East and Dinefwr in Welsh questions last week, entertain the notion that a Calman-style commission in Wales might look beyond financial matters and indeed might look at the nature of the elections to the National Assembly and the make-up of the electoral districts for the National Assembly. That is worrying. It is looking like another broken promise from the Government if we are now going to see the National Assembly being so directly impacted by the Bill.

I ask the Minister to try to clarify today what was implied by the Secretary of State's response to the hon. Gentleman's question last week. If the Minister is unable to tell us exactly what that commission is going to look at, can he at least tell us whether it will look at alternatives to the current voting system? The hon. Member for Carmarthen East and Dinefwr slightly misrepresented me when he said that in our discussions last week I said that we had to stick pretty much with what we have got. I did not say that. What I said was that we certainly should not shift instantly if we are to consider these matters through 30 list members and 30 first-past-the-post members. The rejection of the alternative vote last week raises the question of whether we ought to look more seriously at first past the post and I think that there is an opportunity for us to put other alternatives on the table, such as having 60 members, two per constituency, in a first-past-the-post system. There might be a significant amount of agreement across the House for that as an alternative system.

Paul Murphy: My hon. Friend knows that I entirely agree with him on that issue. I hope, however, that he, and the House, understand that any substantial constitutional changes to what the people voted for in 1997 would require not just huge consensus but a referendum. I hope that the Minister will indicate that understanding in his response.

Owen Smith: That point is very well made, and I look to the Minister to clarify it. We would certainly hope to see it clarified under any possible Calman-style commission.

My final point is a reflection of some of the remarks made earlier. The contrast between the 2011 Act and the constitutional changes that it portends and the House of Lords draft Bill that we saw only this week could not be starker: pre-legislative scrutiny, the establishment of an independent commission, a Joint Committee, a draft Bill—a serious look at what will be a dramatic, radical and historic change to the governance of our country.

No less historic a change for Wales was the announcement, dealt with in eight scant days on the Floor of the House, of a quarter reduction in the number of MPs from Wales. That measure was railroaded through for what I fear were squalid, partisan and political reasons, and I am sure that the people outside this place will be concerned that the Government could apply a similarly high-handed gerrymandering approach to the potential changes to the National Assembly electoral boundaries.

3.41 pm

The Parliamentary Under-Secretary of State for Wales (Mr David Jones): May I, too, say what a huge pleasure it is to serve under your chairmanship today, Mr Davies? I join other Members who have commended the Chairman of the Welsh Affairs Committee, my hon. Friend the Member for Monmouth (David T. C. Davies), on securing the debate, and I pay tribute to the Committee's work. As the hon. Member for Pontypridd (Owen Smith) pointed out, I was a member of the Committee throughout the previous Parliament. I know how important it is in scrutinising the role not only of the Wales Office but of other Whitehall Departments whose work touches on Wales.

The debate today is about the Select Committee's report on the implications for Wales of the Government's constitutional reform proposals. I suggest that it is something of an after-the-event debate—considerably after the event; the report was, of course, published as long ago as October last year, the Government's reply was issued in January, and the Parliamentary Voting System and Constituencies Bill, which was the focus of the report, was enacted some three months ago.

Nevertheless, it is useful to have the debate, if only to point out that some of the concerns highlighted in the report, such as the fact that holding a referendum and an Assembly election on the same day would be extremely challenging, have proven to be unfounded. In fact, I think that everyone agrees that both those exercises in democracy were completed without undue difficulty.

Jessica Morden: It is true that the sky did not fall in, but it is also true that the jury is out on how the election was administrated. Election officers have told me that there was a great deal of confusion. In my area, for instance, there was an 80% turnout of postal votes for the first referendum and a 70% turnout for the second one, and that was seen as being due, in part, to confusion. Does the Minister agree that we should look more closely at that, and learn lessons?

Mr Jones: We always need to learn the lessons of electoral processes, and it is anticipated that the Electoral Commission will issue its report on the conduct of the polls in July this year. As far as I can see, the exercise was carried out successfully and it proved wrong those who anticipated that the people of Wales would not, like a well-known American President, be able to walk and chew gum at the same time.

Jessica Morden: The referendum part of the election was run by the Electoral Commission, so that body is conducting a review of its own administration of the election. Is that the right way forward?

Mr Jones: I would be very reluctant to call into question the integrity of the Electoral Commission. It is the right body to report on electoral processes in this country.

Paul Murphy: The 2011 Act provided for the referendum to be held on the same day as elections for the Welsh Assembly and for local government in England. Does the Minister think that the Deputy Prime Minister now believes that that was such a good idea after all?

Mr Jones: I would be very loth to second-guess anything that the Deputy Prime Minister might think.

The focus of the Select Committee report was the Parliamentary Voting System and Constituencies Bill, which is now an Act. I reiterate the point that was made throughout the Bill's passage through Parliament: the principal thrust of the provision is to ensure fairness in our electoral system. I have heard what Opposition Members have had to say about that, but it is inherently unfair that the vote of an elector in one part of this country should carry greater weight—in some cases, much greater weight—than that of an elector in another part of the country.

The right hon. Member for Torfaen (Paul Murphy) made the point that he has made on previous occasions—that the so-called Welsh vote has to be protected. I very much share the view of Professor Richard Wyn Jones, a very distinguished academic whom I know, who says that this situation is something that has grown up over the years. In evidence to the Select Committee, he made the interesting point that in 1543, when Welsh Members of Parliament were first admitted to this place, the population of Wales was approximately 7% of the combined population of England and Wales and Welsh representation in terms of Members of Parliament was also approximately 7%. He said that there

> "wasn't any kind of formational deal that Wales should be over-represented".

He added that since then there had been a "drift" in Welsh representation in this place. He went on to make the fair point that in the scheme of things, it is hard to see how a reduction from 6% to 5% of MPs could make that much difference to Welsh representation here, particularly when it is borne in mind that the overall number of Members of Parliament will be reduced from 650 to 600.

[Mr David Jones]

Another important point that he made, and which I put to the right hon. Member for Torfaen during his contribution, is that Welsh Members of Parliament hardly behave as a bloc. I heard what the right hon. Member for Cardiff South and Penarth (Alun Michael) had to say about the Welsh parliamentary party, but I have to say in all frankness that at that party's most recent meeting, representation by Conservative Members was rather light, underlining the fact that Welsh Members of Parliament do not behave as some sort of single coherent body.

Alun Michael: I really do not understand why the Minister makes that point, as it suggests an element of disengagement on the part of some Conservative MPs. At that meeting, one of the Minister's hon. Friends made a very constructive intervention, commenting that the meeting had been more constructive and consensual than he had expected.

Mr Jones: The Member who made that point was the only Member of the Conservative parliamentary party at the meeting—*[Interruption.]* I know that the right hon. Gentleman is disappointed that more Conservative Members of Parliament did not attend, but that underlines the fact that party politics, across the political divide, prevail just as much in Wales as in the rest of the country.

Paul Murphy: The Minister quotes Professor Wyn Jones all the time, but he fails to remember that Speaker's Conference after Speaker's Conference indicated that there were special circumstances to ensure proper representation for Scotland, Wales and Northern Ireland in the United Kingdom Parliament. Why does he think, for example, that there are separate boundary commissions for Scotland and Wales? They are separate countries in separate circumstances. I think that the professor is on his own on this one.

Mr Jones: He is not, because I happen to agree with him, which is precisely why I quote him so extensively.

We must return to the fundamental point: it is inherently and conspicuously unfair that a vote cast in Aberdeen, for example, may have a different weight from a vote cast in Aberystwyth. The Act proposes to introduce the element of fairness. Nevertheless, to a large extent—

Paul Murphy: Does the Minister not accept that for nearly 150 years, his party agreed with the point that I am making? The Conservatives agreed that not just Scotland and Wales but large rural areas should have proper representation. What has happened in the past year goes completely against what the Conservative and Unionist party has said for 150 to 200 years.

Mr Jones: It is fair to say that the Conservative party has evolved considerably over the past 150 years, as no doubt has the Labour movement in this country. If we were set in aspic, we would never make any progress.

As I said, the Act will introduce fairness into the system. I am conscious that the Chairman of the Select Committee will wind up this debate, but I feel that I must touch on one or two points made by various right hon. and hon. Members, who I hope will forgive me if I do not mention them by name. One important point made by my hon. Friend the Member for Monmouth related to individual voter registration. It is certainly vital that as many people as possible register to vote and are encouraged to do so. We feel that the move to individual registration is likely to increase the number of people on the register.

We are trialling data matching throughout this year in several areas, including Cardiff. We are comparing the electoral register with other public databases to find those who are eligible to vote but missing from the register. The aim is to tackle under-registration among specific groups.

Nick Smith: Will the Minister give way?

Mr Jones: Yes, but this will be the last time.

Nick Smith: The Minister is right to emphasise the importance of promoting electoral registration. However, the registers for the coming parliamentary review will be based on the past year's electoral registration numbers, gathered before the important pilots that he mentioned. If the Government delayed, considered electoral registration further and put resources into it, given the profound changes that we are seeing, surely that would lead to a better result, because more people would be registered and we could support more confidently the boundaries that we are debating.

Mr Jones: The trial will continue throughout this year. The pilots will enable us to see how effective the data matching is and which data sets are most useful in improving the accuracy of the register. The chair of the Electoral Commission said in her evidence to the Select Committee on Political and Constitutional Reform that introducing individual registration will enable the commission to create focused programmes to improve registration rates among specific communities. That is particularly important because, as the hon. Member for Swansea West (Geraint Davies) said, some sections of the community are certainly under-represented, and we must make an all-out effort to get as many of those individuals on the register as possible.

Nick Smith: Will the Minister give way?

Mr Jones: I am afraid not. I have been quite generous already.

The future of the Union was mentioned. It is big stuff for me to cover in the next two minutes.

Geraint Davies: Will the Minister give way?

Mr Jones: No, I am afraid not. I hope that the hon. Gentleman will forgive me.

Geraint Davies: The issue is time.

Mr Jones: It is, I am afraid. I think that most of us in this Chamber—with the honourable, or possibly dishonourable, exception of the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards)—are Unionists, and we do not want the Union of this country damaged. Therefore, the West Lothian question must be addressed, and the Government are committed to doing so during this Parliament.

As the hon. Member for Pontypridd said when agreeing with something that I said earlier, perhaps we are doing things the wrong way round—perhaps the exercise should have taken place before devolution was instituted in this country—but the issue must be addressed. I can think of nothing that would do more to endanger the Union than to perpetuate a sense of grievance on the part of certain Members of this Parliament and certain large sections of this community about a perceived lack of fairness in how they are treated.

Owen Smith: Will the Minister give way?

Mr Jones: I shall not, as I have little time. I am sure that the hon. Gentleman will understand. Over-representation is a problem, and introducing fairness is a good way to start to address it.

To conclude, this debate has been an interesting exercise—but essentially a historical one, as I said earlier. The Select Committee has published its report, but since then, the caravan has moved on. As I said earlier, the AV referendum was held with little difficulty, as far as we can establish, and we must now look to the future. The Boundary Commission's exercise is continuing, and it will result in provisional proposals in September this year and a final report to the Secretary of State by October 2013.

The new parliamentary constituencies will be in place by the time of the next general election, and appropriate arrangements will be made for the next Assembly election in 2016. All proposals will be taken into consideration—the hon. Member for Carmarthen East and Dinefwr made an interesting suggestion, as did the hon. Member for Pontypridd—before Assembly constituencies are determined.

I reiterate that the fundamental issue addressed by the Parliamentary Voting System and Constituencies Act 2011 is fairness.

Nick Smith: Will the Minister give way?

Mr Jones: I regret that I will not. The constitutional reforms introduced by the Government will ensure that fairness is embedded in the system, which should be as welcome to the people of Wales as it is to the people of every other part of this United Kingdom.

3.57 pm

David T. C. Davies: I am grateful for the opportunity to wind up. If you will forgive me, Mr Davies, I will skip the usual format of trying to sum up what everyone has just said.

The debate was about to get very interesting. There is an issue of fairness and of ensuring that all votes count, and the Committee accepted that in its report. What concerned us was the speed with which things were being done and the possible consequences of doing them so quickly while reducing the number of MPs; it would have been feasible to create equal constituencies without reducing the number of Members of Parliament.

It is not entirely fair to suggest that this is gerrymandering. It will certainly advantage the Conservative party, just as it advantaged the Labour party to keep the status quo for the last 15 years and to create a Welsh Assembly that was always likely to be dominated by the Labour party or a combination of left-wing parties. That has prevented Conservatives in Wales from enjoying a Conservative-run health service or education system, although it has not prevented Labour MPs from writing to English Ministers to tell them how the health service and education system in England should be run. That is bound to cause a grievance among English MPs.

I think that most of us here want to remain part of the Union. If we do, it behoves us to remember that we have responsibilities as well. We cannot simply go on pouring out comments about the English doing this or that, constantly ragging the English nation and sending Members of Parliament over to vote and speak on issues that are decided entirely differently in Wales without expecting some reaction. There will always be consequences.

The Union is a fragile thing. I welcome the fact that so many Members here, including me, share a commitment to it and work in an honest and open way, but some Members do not. They have a right to a different point of view, but I think that all of us want England, Wales, Scotland and Northern Ireland to work closely together, and I take some comfort in that.

Severn Crossings Toll

[Relevant documents: Third Report from the Welsh Affairs Committee, Session 2010-2011, HC 506, and the Government response, HC 837.]

3.59 pm

David T. C. Davies (Monmouth) (Con): Everyone seems to be leaving the Chamber, which is sad because very few issues cause more rows in pubs and constituency surgeries in south Wales than the Severn bridge. You might expect me to declare an interest at this point, Mr Davies, but one of the bits of pub trivia that came out of our inquiry is that I do not need to do so, because neither of the Severn bridges starts or ends in my constituency. One ends in the constituency of Newport East, and the old Severn bridge starts and ends entirely in England before joining the Wye bridge. It would, therefore, be difficult for some of the Members who have left the Chamber to demand that the old Severn bridge be partly administered by the Welsh Assembly Government in Wales, because it does not actually come into Wales at all.

The issue for all of us is the price. It has confounded us in constituency surgeries throughout south Wales and the M4 corridor. It is worth setting out some of the background. The second Severn crossing was built by a consortium of four companies, which became Severn River Crossing. Not only did they build the second Severn crossing, but they took on the debt of the old bridge, which amounted to about £450 million. The deal was that they could collect just under £1 billion, which was linked to inflation, and that, once that money had been collected, the bridge would revert to public ownership. At present, that is expected to happen in around 2017.

It became clear to us during the course of our inquiry that, no matter how angry we might get over the level of the tolls and no matter what impact we might think it has on the economy, there is very little that any of us, including the Minister, can do about it. This is a matter not of the Minister deciding what he wants to set the toll at for any given year, but of straightforward contract law that would be backed up by the courts. The deal was struck in 1992 between the then Government and private companies, and there is no flexibility in it whatsoever.

Jessica Morden (Newport East) (Lab): Was the hon. Gentleman as surprised as I was to see the Welsh Conservatives pledge during the Assembly elections to freeze the tolls immediately?

David T. C. Davies: I must admit that that was a surprise to me. It would, of course, have been feasible to do it, but a Conservative Government in the Welsh Assembly—which was, sadly, not to be—would have had to pay back all the money to Severn River Crossing. That would have been a significant amount of money. I am not sure whether the policy applied to heavy goods vehicles—I believe that it applied just to cars—but it would still have been significant. The point is that SRC could not simply have been told to freeze the tolls without compensation being paid, because its shareholders would have had every right to take the Welsh Assembly Government to court. There would have been some practical difficulties in implementing that policy, because I presume that it would have been up to the Welsh Assembly Government to negotiate the rate directly with SRC. I am not sure how far down the line the negotiations went. It would have been feasible, but it would have been a challenging proposition. Sadly, it will not come to pass, because of the efforts of the hon. Lady's party.

Geraint Davies (Swansea West) (Lab/Co-op): The point is that the Welsh Assembly Government had no locus or power to set anything. These things are set by the UK Parliament, which cannot be changed now. Surely the Government can announce, however, not that we can change the toll now, but that in 2017 the toll will go down to £1. If they did that, it would trigger inward investment now, not then, because people would plan for the future. They could establish their business now in south Wales, so that after 2017 their costs would go down. That is what the Government should do.

David T. C. Davies: Once again, the hon. Gentleman has anticipated some of my comments.

Before I turn to 2017, we should have a quick discussion about the impact on the economy. There is, as the hon. Gentleman will recall, mixed evidence about this. There is no hard evidence that the current level of the tolls is having a detrimental impact on the economy. Let me quickly add, however, that there is plenty of anecdotal evidence, which most of us would accept, particularly in relation to areas such as haulage and tourism. I worked extensively in the haulage industry and the situation is not all bad, because a haulage company in Wales competing for business that is local to south Wales has an advantage over an English company in Avonmouth, which would find it harder to compete. Similarly, shopkeepers in towns such as Chepstow might be concerned that, if we got rid of the Severn bridge tolls, it would lead to even more people crossing over and going to Cribbs Causeway, when the current numbers are already causing a problem.

Having said all that, I think that there is an impact on the economy. I do not think that it is as bad as some people have suggested, but there is a negative impact. To give some evidence for that, I remind Members that the previous Government froze the Humber crossing tolls because they felt that the level of those tolls would have made the impact of the economic downturn worse. It is sad that, having decided to do that on the Humber, the previous Government did not feel that they could make the same commitment to the River Severn. If any Opposition Members want to tell me why Wales was discriminated against in that fashion, I would be more than happy to hear their comments.

What we need is hard evidence so that we can put a proposal for 2017 to the Government. I welcome the fact that the Welsh Assembly Government, who do wonderful things on occasions—they are not all bad; like all things, they have advantages as well as disadvantages—are conducting an in-depth assessment of the impact of the current level of tolls on the economy. They will hope to get evidence from the Department for Transport. It was our strong recommendation that the DFT work with the Welsh Assembly Government on this and offer them every assistance and co-operation, and I very much hope that it does.

Paul Murphy (Torfaen) (Lab): The hon. Gentleman has said that the Labour Government did not act on these issues. He might not remember this—it was a long time ago—but 20 years ago I served in the Committee that considered the Severn Bridges Act 1992. The Welsh Affairs Committee report says that the deal that was struck in 1991 was a poor one. One of the reasons why was that it could not easily be changed. That, as much as anything else, is the real reason why we are in the situation we are in today.

David T. C. Davies: The right hon. Gentleman has far more knowledge of what happened in 1991 than I do. However, if we had asked for a more advantageous and flexible Bill from our point of view, I presume that SRC would have asked for more than £1 billion. I was not party to the negotiations, but I imagine that it would not have simply rolled over and given way that easily—I do not know. What I know is that it is all up for grabs after 2017 or thereabouts. It is important, first of all, that we have hard evidence about the impact on the local area.

The hon. Member for Swansea East—

Geraint Davies: West. We have not had the boundary changed yet.

David T. C. Davies: I apologise. The hon. Member for Swansea West (Geraint Davies) made a point about the potential level of the toll after 2017. I think that he will agree that it was a back-of-the-envelope calculation, and I am sure that it can be corrected. I shall address the figures to which he has alluded. The current annual revenue from all the tolls is about £76 million a year. The current cost of maintaining the bridge is £15 million. I estimate, therefore—this is purely a back-of-the-envelope calculation—that it would be feasible to levy the toll at about £1.50 and still be able to maintain both bridges. Obviously, there may be other factors that the Welsh Affairs Committee has not been made aware of.

The Parliamentary Under-Secretary of State for Transport (Mike Penning): Will my hon. Friend give way?

David T. C. Davies: I suspect that the Minister is going to make me aware of a few of those factors. I accept that we may want to put money aside for a future bridge or for future major works to be carried out on one of the bridges. I invite the Minister to confirm, however, that it would be possible to set the toll at a significantly lower level than its current one and still be able to maintain both bridges in good working order.

Mike Penning: I do not want to pre-empt in anyway my later comments, but my hon. Friend may notice that I am not a Treasury Minister. Treasury Ministers do not do things on the back of a fag packet. Whatever we do must be evidence based and correctly calculated all the way through. We are not going to rule anything out or anything in. It will be very much a Treasury matter, as well as one for the Department for Transport.

David T. C. Davies: I appreciate that clarification. However, we are about five or six years away at most from the estimated date of handover. By that time, I would expect people in the Minister's Department or the Treasury to be thinking about what we will do next. I understand that the current plan for the next five years after 2017 is that the tolls will continue at the current level in real terms and that the money will be set aside for a sinking fund.

To date, no one has even talked to SRC about who is going to man the toll booths or do the maintenance. It surprises us that more work has not taken place and that there is not greater clarity about what is going to happen. Certainly, at some point, the bridge will be in public ownership, both bridges will be paid for and a large profit will be being made by someone. However, it is not being made at the moment and, in fact, the evidence suggests that SRC will not make that big a profit. SRC's shareholders are not a load of people in top hats somewhere in the City of London; they are anyone who happens to have a private sector pension. We often forget that when we talk disparagingly about shareholders.

At some point in the next 10 years, a large sum of money will be being made from what is basically a tax on the people of south Wales and the west country of England, which is not acceptable. We have a right to know what is going to happen and to absolute transparency, so that when the bridge becomes the Government's property, we can open the books and see how much is being used to maintain both bridges and how much is simply going back into Government coffers. We could then put aside some money for future works.

I want to squash a couple of myths that are prevalent in the pubs of Monmouthshire and possibly elsewhere. The first myth is that the whole thing is owned by the French Government and that the money will all go back to France. I do not know where that came from, but it is obviously completely incorrect. The second myth that has persistently dogged us over the past few years in Monmouthshire is that the old Severn crossing is falling down and at some point will be closed. We have found absolutely no evidence for that either, and we are assured that that is not the case.

We look forward to finding out a little more about what will happen on the happy day when the bridge goes back into public ownership and ceases to be paid for. We also look forward to a day when the tolls can perhaps be set at a level that is fair, that enables the taxpayer not to lose out because the bridges will be maintained and that is beneficial to all of us who live and work in south Wales.

4.13 pm

Jessica Morden (Newport East) (Lab): It is good to see the Minister here to respond to the debate. I thought that his evidence to the Welsh Affairs Committee was frank and that he seemed very engaged in the matter. As someone who has been talking about the Severn bridges for some time, I appreciate that.

Like the hon. Member for Monmouth (David T. C. Davies), I obviously have a strong constituency interest in sorting out the issues surrounding the Severn bridges. I commend the hon. Gentleman for the way in which he chairs the Welsh Affairs Committee and for deciding that this should be one of the first inquiries following the election. The evidence that the Committee has received backs up what I have heard from my constituents for many years, which is that the crossings are too expensive, inflexible and inconvenient.

[Jessica Morden]

As I said in a Westminster Hall debate last year, until very recently people could not pay by credit or debit card, and they cannot pay online or travel off peak. There are no concessions for people who live locally. Yet the tolls continue to rise year on year, even though the service is outdated. I do not apologise for raising the matter again because, although Severn River Crossing has a responsibility to its shareholders—as has been mentioned—I feel a responsibility to my constituents, who are the customers. I would like Severn River Crossing to pay a little more attention to the customers.

Nick Smith (Blaenau Gwent) (Lab): I, too, congratulate the Chair of the Committee, the hon. Member for Monmouth (David T. C. Davies), on covering the topic, which is certainly important to my constituents. I want to take up my hon. Friend's point about a permanent system not yet being in place for credit card payments. It seems mad that, in 2011, there is not yet a permanent system in place for people to pay their toll with a credit card. That is absolutely bonkers. If someone goes to the bridge on a Friday evening, there are massive queues. Often people arrive there and they do not have enough cash. That has happened to me on my way home. I have not had enough cash and I had to get off at the service station beforehand to get some. Getting cash in that way can cost money, as people might have to use one of those machines that charge. Would it not be much easier if commuters, hauliers and others could use a credit card easily to cross the Severn bridge?

Philip Davies (in the Chair): Order. I ask for interventions to be brief.

Jessica Morden: I thank my hon. Friend for his intervention. There is no permanent solution to that at the moment. I travelled over the bridge last Thursday night, and although I believe that a temporary measure is in place, there is still no permanent fixture. I am sure the Minister will correct me later if I am wrong on that. I will move on to that issue later.

The Committee heard anecdotal evidence about the economic impact of the tolls on businesses and commuters, and it welcomed the Welsh Assembly's commissioning an assessment of the economic impact of the bridge's operation. The Government response refers to new business investment in Wales. I want to add my own anecdotal evidence. Haulage companies in my constituency, and I suspect in the constituency of my hon. Friend the Member for Blaenau Gwent (Nick Smith), are being severely impacted by the tolls, as the charge is not borne by companies just over the bridge. For example, Owens Road Services is a long-standing Welsh company with a base in Newport. It represents 1% of the total heavy goods vehicle traffic on the crossing and pays £200,000 a year. Toll increases keep coming off its bottom line. The Welsh logistics industry is paying a charge that is not paid by competitors in England. I speak weekly to commuters—for example, teachers—who travel to Bristol. They are suffering every day at a time when hours are being cut, wages frozen and fuel prices are high.

As the hon. Member for Monmouth has said, what came out loud and clear from the Committee's inquiry is that the contract negotiated with Severn River Crossing is very restrictive and that the Secretary of State's powers are constrained by that. However, where there's a will, there's a way. I still want the Government to pursue the issue of a toll freeze. I took the Minister at his word when he said it is difficult, although as we referred to earlier, there are people in his party who see the matter slightly differently.

On 6 April, which was just a few weeks after the Minister gave evidence to us, during the Assembly elections, the Welsh Conservatives pledged that

> "a Conservative Assembly Government will freeze Severn Bridge Tolls cars at their current level. The freeze will be brought in immediately."

As an aside, there was no mention of business vehicles, which has not gone down particularly well. I am genuinely bemused by that. Has the Minister committed to doing that or do the Welsh Conservatives just not know that the bridges are not devolved and that there are contract limitations? I would be grateful for an answer on that later.

David T. C. Davies: Presumably, if the hon. Lady and I were fortunate enough to win the lottery, we could ask Jim Clune if we could pay for everyone to have a toll freeze. Although the matter is not devolved, there would have been nothing to stop the Welsh Conservatives doing that had they formed a Government. Sadly, they did not, but maybe next time.

Jessica Morden: I thank the hon. Gentleman for his intervention. Apparently the Assembly would have had to pay £29 million to Severn River Crossing. I am loth to take him up on his offer to commit to paying that if we win the lottery, just in case.

I would like the tolls to be frozen and greatly reduced when the bridges come back into public ownership in 2017. I fully support the Committee's assertion that the toll could be reduced to a fifth of its current level to approximately £1.50, while allowing the crossings to remain self-financing. We recommend that the Government should seek to reduce the level of the toll at the earliest opportunity.

In the meantime, I want the Minister to address some of my parochial concerns. On car sharing, commuters who share a car cannot share the TAG. I was under the impression that that issue had been sorted out some years ago and dealt with by Severn River Crossing. However, it appears that it has not. Will the Minister please pursue that with the company in the interests of cutting congestion? We are urging people to car share, so we ought to be making it easier.

On off-peak tariffs for business, one issue that businesses have always raised with me, which is an extremely good point, is more flexible pricing. Effectively, off-peak travel for business would offer incentives to travel at certain times of the day and night. That would reduce congestion, save emissions and help companies at a time when they are struggling.

May I also ask the Government at some stage to examine the issue of a reduction in tolls for people who live locally? As someone said earlier, maybe that could be done on a postcode basis. Such a scheme has been introduced on the Dartford crossing. I believe that it is easier to do that on the Humber and Dartford crossings, as they have no concession. I am sure that the Minister will put me right on that if I am wrong, but in the longer term, could we look at doing that in Wales?

On the thorny issue of modern technology, I believe that one of the witnesses, who gave evidence to the Committee referred to not being able to pay by modern methods as a "mild national embarrassment". That the issue was shown on "Gavin & Stacey" has been well-reported. I am glad that the temporary system is in place, although I believe that the permanent machines have not been installed yet. The company pledged to the Committee to do that within the first quarter of this year, so I would be most grateful for an update on progress.

Given the long, painful years it has taken to get to the stage of being able to pay by credit and debit cards, which appeared to be a fairly simply issue, may I urge the Minister to get to grips with the future of the bridge post-2017, as the hon. Member for Monmouth has mentioned? The Government response to the Committee's report states:

> "it is too early to be setting a future strategy for the Severn Crossings at this stage, including future toll prices and concessions."

With the current Parliament due to expire in 2015, this is not an issue that can be left until another election, because businesses and commuters in my constituency need certainty.

I welcome the Department's commitment in the Government response to provide regular updates to everybody on future strategy. I also thank members of the Committee, as one of the local MPs, for the time that they have spent on this issue. It has been a valuable exercise in providing fresh impetus to sorting out the future of the bridges.

4.22 pm

Karen Lumley (Redditch) (Con): It is a pleasure to serve under your chairmanship today, Mr Davies. I want to say just a few words about the importance of the Severn toll crossing. At this point, I should probably declare an interest. I seem to have used the Severn bridge crossing more in the past year in order to visit my daughter in Cardiff than I ever did in the 18 years I lived in Wales.

We have seen inward investment to Wales decrease massively in the past 20 years. In the late '70s and early '80s, 20% of the UK's foreign investment was in Wales. That figure is now just 6%, which makes it crucial that we make Wales a competitive place to do business. We all recognise that the only way that the second toll crossing was ever going to be built was with private finance, and that the company running it needed to make a profit for its shareholders. We will, however, in the not too distant future, as my hon. Friend the Member for Monmouth (David T. C. Davies) said, see it return to Government hands. We will then have an opportunity to help businesses out.

I hope that the Minister is listening and will take note of some of the points raised in the debate, and in the report from the Select Committee, of which I am a member. We all understand the dire financial situation that this country is in, but to enable Wales to attract its fair share of investment we have to ensure it is on a level playing field with the rest of the country. I know there are discounts to be had from the south and London, but the only realistic way into Cardiff in a car is to pay the £5.70. Otherwise one has to go miles out of one's way, incurring extra fuel charges, and we all know how costly that is. Not only are our visitors paying more, but they are less likely to visit some parts of the country than others. We must make sure that money coming into Wales is as evenly distributed as possible.

Also important, of course, is the part that tourism plays in attracting people into Wales. As hon. Members have mentioned, many of us remember watching the television programme "Gavin & Stacey" when Smithy is trying get across the Severn toll crossing and cannot find the right money. That programme has, of course, made Barry Island famous. I have to confess that on my last visit to Cardiff I ventured down to have a look around and have a go on the slot machines. Seriously though, we need to do all we can to boost tourism and attract more visitors to stimulate the economy wherever we can.

As the Prime Minister said at Question Time on Wednesday, we are part of a United Kingdom and every part of it matters. I also urge Severn River Crossing to look again at fitting the toll with the latest technology to enable it to collect the money. Near my constituency of Redditch, the M42 is fitted with that technology, which is so much easier and more efficient. In conclusion, I suggest that the Minister continues his good work and pushes for a deal that will benefit both business and tourism alike, and for a fairer Severn toll crossing.

4.25 pm

Geraint Davies (Swansea West) (Lab/Co-op): I would like to make a few quick comments before my voice breaks again. The importance of the report, as I have already suggested, concerns inward investment and prosperity for Wales. The simple fact is that if we want to attract inward investment into Wales, multinational companies in particular need to be able to assess, years in advance, the likely costs they will face in networking European markets. I urge the Government to make their intentions clear, so that that can be done.

I share the view of the Welsh Affairs Committee Chair, the hon. Member for Monmouth (David T. C. Davies). We should aim to minimise the toll, subject to operational and maintenance costs, and look again at off-peak fares in terms of traffic management and the balance between car and van traffic and larger trucks—the balance between inward investment and trade versus tourism. That is not easy, but we should make a general statement of intent now. We want to see a substantial reduction in a tax on trade and inward investment into Wales. I respect the point made by the Minister from a sedentary position asking why Labour did not do that. If that was a mistake, then that is a reason not to repeat it.

As we approach 2017, it becomes more and more important that we make those signals—generally at first, and then specifically down the road. The Welsh Affairs Committee is focusing strongly on the various parts of inward investment—visiting Germany and so on. The crossing is a crucial artery for investment into Wales. The electrification of the railways is also crucial. People will know that I have stood up for the electrification of the railways from Cardiff to Swansea, as well as to Cardiff. The railway line and the road are the two main axes for getting trade into Wales.

The point was made that there is some uncertainty about the economic impact. The Welsh Assembly is supposed to be doing an assessment of that. The fundamental economic analysis is obviously that this is

[Geraint Davies]

clearly a tax on trade and inward investment. Taking on board what the Chair of the Committee said, it works both ways. The fact is, however, that it is not worth it for people in Newport to pop over to Bristol to do some building work there, because of the toll. The toll impedes the development of ambitious small businesses. A company opening its headquarters will look at the marketplace. Clearly, more people live on the English side of the River Severn than on the other side. In terms of cost-management, they are better off locating on the English side. That stands to economic reason, so there is a dramatic impact.

I was disappointed by the evidence we heard from Ieuan Wyn Jones. He was meant to be in charge of economic development for Wales, but happily he is not any more. He seemed to have the idea that some of the reduction in price, which should go to motorists, inward investors, and the traffic of people and products, should be taxed away and spent on other pet projects in Aberystwyth, or wherever. That misses the point that the fundamental driver of the Welsh economy is trade.

As it happens, my father used to be in charge of economic development in the Wales Office some time ago. There was an analysis at the time to show that Wales is not just one great economy. Essentially, it is two economies—south Wales with the south-west, and north Wales with Liverpool. A moment's thought would lead us to that conclusion. The study made clear the interdependence of the south-west and south Wales. Therefore, having a brake or a tax on that relationship harms both economies. We know from the first principles of economics that trade is beneficial, so it is not a good idea to say, "Separate these two and they won't have to compete with each other." Trade is mutually beneficial. Again, I urge the Minister to encourage the Treasury to signal the direction of travel and to give us greater clarity.

In places such as Swansea, which I represent, we have the enormous growth of the university as a research and development, technologically driven entity with global reach and attraction. Companies such as Tata Steel, Rolls-Royce and now Boots the Chemist have moved their research and development to Swansea, and they are looking to develop products with a global reach. Part of that is being able to link to European networks and beyond, and part is the cost of moving products and people between Wales and England and beyond.

The issue is not a minor one, with people who happen to live in Cardiff getting annoyed; it is about our strategic position on inward investment and the development of the Welsh economy, which is so important for all of us. I look forward to the Minister's response.

4.31 pm

Paul Murphy (Torfaen) (Lab): Thank you, Mr Davies—I have just realised that one third of the Members in the Chamber are called Davies.

The hon. Member for Monmouth (David T. C. Davies) and I ought to form a Gwent national party because I agreed entirely with everything he said when opening the debate. Again, the Select Committee is to be commended on its work. Interestingly, in our earlier debate, the Under-Secretary of State for Wales said that it is quite rare for Members from Wales to get together and agree on everything but, within minutes, we have an example of doing precisely that. We agreed on the importance of the bridge—we welcomed the building of the second Severn crossing in the early '90s—and on what is likely to happen in 2017, when the concession runs out and the Government take over the running of the two bridges.

I remember the first bridge being opened and I also, as I said in an intervention, led jointly for the Opposition on the Severn Bridges Bill in 1991—so long ago, in fact, that half the membership of the Bill Committee is dead and the other half, except for me, is in the House of Lords. It was interesting reading the debate because, although we agreed with the building of the second Severn crossing, which was absolutely necessary, there were concerns about the nature of the deal and of the concession. I am glad that the Select Committee referred to that in its report:

> "Our inquiry demonstrates the inflexibility contained in the Severn Bridges Act 1992 and the concession agreement between the Government and Severn River Crossing Plc. This has made it difficult for the Government to respond to the current economic climate and freeze the toll"—

whether the Government of which I was a member or the present Government, because both would find it difficult to change the intricate concession and deal agreed 20-odd years ago, and we must look to the future on that.

I agreed very much with my hon. Friends the Members for Blaenau Gwent (Nick Smith) and for Newport East (Jessica Morden) on how new technology has not been introduced on the bridge that I will cross in five hours' time. All of us who travel to Europe, France in particular, and to other countries have seen the most sophisticated technology—number plate recognition or using credit cards and so on—but none of that has happened on our bridges into Wales. Frankly, that is a matter of public scandal. All Governments are to blame for not putting pressure on the company to ensure that.

The other issue that was raised in 1991 was that there ought, we believed, to be local inquiries every time the tolls were to be increased substantially. That proposal was defeated in Committee; it would have been a good idea, but it did not happen.

I read with great interest the Select Committee's questioning of the top officials of Severn River Crossing plc. I entirely understood the questions posed by the Committee, especially those of my hon. Friend the Member for Pontypridd (Owen Smith), but I failed to understand the answers—perhaps that was my fault—and the finances surrounding the end of the concession are as murky as the Severn itself. I do not know who, if anyone, will make a great deal of money in a few years' time, but I do know that when we look at the figures, the running costs are £15 million a year and the income is £72 million a year. The debt is almost paid off and no new technology has been put in, so one wonders a little why those figures do not quite add up.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The right hon. Gentleman makes an interesting point. Does he agree that it was very strange that, during those deliberations, the company was unable to provide us with its likely profit at the end of the concessionary period?

Paul Murphy: It was amazing. I hope that this debate and any consequent Government policy might lead to discussions with Severn River Crossing plc so that we can get to the bottom of what, frankly, I could not understand.

An impact assessment has been started by the Welsh Assembly Government. There is now a new Executive in Cardiff—I believe that the Minister is Huw Lewis, but I might be wrong—and I hope that the Under-Secretary of State for Transport, the hon. Member for Hemel Hempstead (Mike Penning), when he winds up our debate, agrees on the great need for collaboration between the Welsh Assembly Government, the Department for Transport and, if we can persuade it, Her Majesty's Treasury. In a few years' time, there will be a huge change in how the bridges are operated and financed, and we must start preparing now.

4.36 pm

Owen Smith (Pontypridd) (Lab): This, again, has been an interesting and worthwhile debate—certainly worth while from my perspective, not least because it gives me the opportunity to say that I, too, find it utterly inexplicable that my right hon. Friend the Member for Torfaen (Paul Murphy), the former Secretary of State for Wales, for Northern Ireland and for Wales again, is not in the other place. However, it is a delight for us to be able to enjoy his wisdom for a few more years in this House.

The Severn bridges are a hugely strategic part of the infrastructure of Wales. The Select Committee report was extremely timely because it addressed, as we have not seen addressed in the House, that question of their strategic importance. Furthermore, important post-2017 decisions, to which hon. Members referred earlier, beckon whichever Government are in power when the bridge comes into public ownership.

I hope that the Government learn from some of the things revealed by the report, which affords us an opportunity to be taught about how important infrastructural developments, such as the second Severn bridge, might be financed in future. That development came at the outset of the debate on private finance initiatives—very different PFI structures are put in place for infrastructure these days—but, clearly, lessons can be learned, in particular about the contractual nature of the agreement made between the Government and whoever is developing things.

The report gave us the opportunity to explore, although not really get to the bottom of, the economic impact of the bridge tolls on Wales. My hon. Friend the Member for Swansea West (Geraint Davies) talked at length about the inevitable economic consequence of what I think we all agree is a high toll, obliging people looking to trade and travel across the bridge to commit extra resources. That must, at some level, be an impediment to developing trade between Wales and England and to developing the Welsh economy.

Jonathan Edwards: The policy of the previous Welsh Government was to seek responsibility for the bridges at the end of the concessionary period. Can the hon. Gentleman inform the people of Wales what the policy of the new Welsh Government is? If the rhetoric of standing up for Wales is to be believed, surely gaining control over the main supply route into Wales would be a main objective.

Owen Smith: That is a question to be addressed to Carwyn Jones, the Welsh Labour First Minister in Cardiff. I am delighted that he will be in charge, because I shared some of the misgivings of my hon. Friend the Member for Swansea West about the evidence that we heard from the man who was hitherto responsible for economic development—the leader of Plaid Cymru.

Having said that, I think it is important that we look to the Government—had the Labour Administration remained in power, we would also have done this—to forge a better understanding of and a joint interest in how the bridge is managed post-2017. I am sure that the Minister will reassure us that the Government will consider carefully how to ensure that the Assembly has a full role to play in that, because its interest is clearly considerable. On another matter, I hope to hear positive noises from the Minister that the Department for Transport will carefully consider the economic analysis that the Assembly is undertaking, so that we may better understand the impact that the bridge tolls have on trade, tourism and transport in Wales.

The report shed some light on some of the issues—particularly the murky economics of the bridge—but not as much as we would have liked, although it provided greater insight into how it was paid for initially, what the financial structures were, and how the company proposes to make money. It will hand the bridge back when it has taken £1 billion in revenue. The report did not give us total satisfaction in explaining the volume of profit that the company will make at the end of the day, and I agree that the opacity was deplorable. I hope that one of the lessons we learn is that future financial deals leading to the building of important pieces of infrastructure should be more transparent. Given the Minister's candour when addressing the Committee, I am sure that he will agree.

We had a bit more clarity about ownership of the bridge. I am not sure whether the hon. Member for Monmouth (David T. C. Davies) was correct in saying that the French have no interest in it, because I think they have a bit. More importantly, the Americans have a big interest, because the banks that ultimately sit at the back of ownership are, by and large, American. We have a bit more understanding about the concession agreement and its shortcomings. Lastly, we had significant insight into the reason for the prehistoric technology on the bridge, the principal reason being the concession agreement; into the lack of incentive for the company to invest—it would trim its profit; and into the Government's inability to mandate the company to invest to move the technology into the 21st century.

I want to ask the Minister some questions about that. In his forthright evidence to the Committee, he referred to the technology, rather colourfully, as having to

"queue up in some kind of Soviet system".

I agree entirely. He also, interestingly, hinted that he proposed to reopen negotiations with Severn River Crossing to explore how investment might take place in the period before the bridge becomes publicly owned, so that taxpayers are not entirely saddled with that bill. However, he acknowledged that if the company invested, the Government, under the terms of the contract, would have to compensate it up front for making the investment and incurring the loss.

I would like an update from the Minister, today if possible, on where those negotiations are and whether the Welsh people may expect changes and further

[Owen Smith]

improvements in the technology before 2017—or whether, as I fear, the public purse will end up bearing the cost of taking the bridge into the 21st century and thereafter. I encourage the Minister to be as robust with Severn River Crossing as he normally is in his exchanges in the House.

The Minister may be able to help us with the issue raised by my hon. Friend the Member for Newport East (Jessica Morden) and the pledge that the Conservative party made at the election—to offset the cost of freezing the toll to the tune of £29 million in the unlikely event that they won the election in Wales. Thankfully, they did not, but many of us were surprised at the time that such a promise could be made. It prompts the question whether there were conversations between the Conservative-led Administration at Westminster and the Conservatives in Wales that allowed them to make that statement or whether, as he implied from a sedentary position earlier, the Minister knew nothing about it. Perhaps he will clarify that.

I suspect that the Minister did not know much about it. If he did, will he confirm that, irrespective of who won the election, the Assembly could not unilaterally have agreed to pay Severn River Crossing the money to make up the shortfall if it had broken the current contract to fix the toll increase annually, predicated on the retail prices index? Surely renegotiation would have been necessary between the Government at Westminster, who are one part of the contract, and Severn Severn Crossing. Perhaps the Minister will clarify how it would work if the current Assembly Administration wanted to pursue a similar policy. Would that be possible? Would the Government be open to that, or is it off the table?

As the Minister is here, I have a final and slightly cheeky point. I thank him on behalf of the people of Wales for the announcement of the U-turn on the coastguards. He is the Minister responsible for that, and it is welcome. I urge him to think again about the Driving Standards Agency and the Driver and Vehicle Licensing Agency. Perhaps we could have some U-turns on those.

4.46 pm

The Parliamentary Under-Secretary of State for Transport (Mike Penning): It is a pleasure to serve under your chairmanship, Mr Davies, in this ground-breaking debate. I wish I had been the first ground-breaker this afternoon, but the Under-Secretary of State for Wales got in first. It is a pleasure to be here, and to respond to the Select Committee's genuinely excellent report. I had the honour and privilege to give evidence to it early in my time as a Minister.

When I looked at the history of Ministers in my Department, I wondered whether I would be here today. The average life expectancy of a Transport Minister is eight months, and I have been in the post for a year and a day. I am either doing something very wrong, or the Prime Minister has forgotten about me.

To be honest, I was pleased with the report in many ways, not least because it removed some of the myths to which my hon. Friend the Member for Monmouth (David T. C. Davies), the Committee Chairman, alluded. I will try as best I can to respond to the debate, instead of reading out a speech that was written for me, and I will do that as a Minister for the United Kingdom.

The two bridges are national assets, and owned by no one, except that the second one is temporarily owned by the company that was set up to facilitate it. The freehold land that it sits on is the responsibility of the Secretary of State for Transport, and the toll booths in Wales are also his responsibility. The analogy is interesting. I have a map that shows the boundary between England and Wales. The original bridge is solely in England, and the new bridge, as it is still called, is predominantly on English soil and water.

That is unimportant, because the bridges are national assets, and I fully respect the concern of the Welsh community, particularly in south Wales, about the importance of the bridge and its efficient working. I also respect the concern about the contract that was entered into when I was still a fireman; most of us here, although not me, were very young in the early days of the private finance initiative, to which my hon. Friend the Member for Monmouth alluded. With hindsight, would we be in such a position today? Of course we would not, whether or not the previous Government were still in place.

As colleagues who know me are aware, I am not hugely party political. Nevertheless, I could not help thinking that we had 13 years of a Labour Government and although 2015 is approaching, we are only one year along from when the previous Administration were in place; the hon. Member for Swansea West (Geraint Davies) alluded to that point from a sedentary position. What work did the previous Administration do to bring in some of the technology that I will talk about in a moment, and what is going to happen at a later date, possibly in 2017? I will touch on some of those points in a moment, but the issue depends on the funding that the users put into the bridge as we go forward.

The Chair of the Welsh Affairs Committee is a good friend of mine, but he alluded to a tax on Wales. In reality, it is a tax on anybody who uses the bridge. There is an extensive haulier community in my constituency, and I am the Minister responsible for roads, freight and so on. Hauliers from England, Scotland and Ireland, and those from continental Europe, who also pay the tolls, might take issue—although perhaps only fractionally—with the comments made by the Chair of the Welsh Affairs Committee. I understand, however, how emotive the subject is.

Let me touch on some of the points raised. I will not repeat the brilliant history lesson provided by my hon. Friend the Member for Monmouth—again, I am praising the Chair of the Welsh Affairs Committee—because there is no point going over it again. We all know where we are, and many hon. Members know the situation better than I, despite what I have learned over the past year since taking this position. I, too, sat in queues at the tolls for many years when Wembley stadium was being rebuilt and the wonderful Cardiff stadium was used. I sat in that stadium on many occasions, supporting the England rugby team. I will leave the results for others to comment on.

For me the key questions are where we are now, what we can do in the short term and what is the long-term proposal for the bridge. I listened to earlier comments about technology. It is ludicrous that in the 21st century, technology is only just arriving at the toll booths on the crossing. However, some of the comments made during the debate about what can and cannot be used at the tolls were not factually correct; if my officials are wrong, I apologise. The hon. Member for Newport East (Jessica Morden)—I apologise if I pronounce some of the constituency names wrongly; my Welsh is not brilliant and as a cockney lad I was not taught it at school. I mean no offence. *[Interruption.]* I admit that I picked the easy name first.

A debit or credit can be used at a manned toll booth. It can be used at any time, but it depends on whether the booth is manned. The Chamber will be pleased to know that according to information that I received today, it will be possible in July to use non-PIN card technology at the booths. That is crucial because the use of PIN technology creates delays. I will come on to further technology later in the debate, but my information suggests that that will happen in July—I was told it would happen in the summer, and "July" is written in brackets after that.

The company has an agreement with the banks, but we have had to assist with that to obtain that sort of technology. As hon. Members will imagine, banks prefer PIN technology because of the risk of fraud. We have resolved that issue, however, although there was some surprise about that, not least because we had to get through European legislation. Nevertheless, we succeeded in doing so and in July people will be able to cross using non-PIN card technology, which will help enormously—I am sure hon. Members will hold me to that, and I will hold the company to account should it not happen.

The removal of the 30 seconds that would be added to a transaction through the use of a PIN will help speed through the just under 4,000 vehicles per hour the booths are capable of dealing with. Interestingly, the capacity of the M4 is greater than that when everything goes correctly. I hope that in five hours' time when the right hon. Member for Torfaen (Paul Murphy) makes that journey, the severe tailbacks that were reported to me earlier will have gone—I am joking; as I understand it, the road is clear although information comes in regularly.

The other day, I was pleased to announce a huge investment of £100 million in the M4/M5 managed motorway network. That money comes from the central fund, and will dramatically change the traffic situation on that side of the bridge. As hon. Members know, my background is in the fire service, and I was very sceptical about managed motorways when I first looked at the technology; to me, hard shoulders are dangerous areas that were designed for a reason.

Nevertheless, when the managed motorways system was piloted on the M42 under the previous Administration, it was massively over-engineered at the time, but it worked. We have since moved the engineering down, and rolled the system out around the country. A £100 million investment is being provided in difficult times to the M4 and M5 around the Bristol area. Colleagues will know how difficult the bottleneck on those two major arteries can be, and that will be alleviated once the roadworks are finished. That is always a problem—it is no pain, no gain when it comes to roadworks.

While we are talking about pain, most colleagues will receive a letter from me tomorrow stating that we intend to start work on the road surface of the new bridge. Work will start—I can give the exact date—on 9 June and run until 14 July on the eastbound carriageways, and between 6 September and 11 October on the westbound carriageways. That is due mostly to the fact that the inside lane in both directions is severely worn and will have to be completely replaced.

We looked carefully at how to manage the obvious disruption that will take place. Options included a contraflow system and shutting the bridge while work is carried out. The option that we went for will extend the work—overall it will take about five weeks to put a new waterproof membrane on the bridge and surface the road—but it will leave at least one lane open each way. We made the decision not to shut the bridge or use a contraflow system that would have caused more expense and extensive delays. There will be delays, for which I apologise, but investment must be put into the bridge because of its age, and that will be done. It is a reflection of the amount of traffic that the bridge carries.

The only party political point that I will make during my speech will be to touch on the recent elections and my Welsh colleagues' proposals to fund the costs of the toll increases through the Welsh Assembly. It is entirely up to the Welsh Assembly whether or not it wishes to use its funds in that way. If the Conservative party had been elected, it would have been its decision how to run the economy in Wales, just as today's Administration make those decisions. If the Conservative party—or any other party as the hon. Member for Pontypridd (Owen Smith) said earlier—decided that it wanted to fund the cost of the difference between the toll today and the proposed increases under the contract agreement, that could be negotiated with the United Kingdom Government. My door is open to the Welsh Assembly, under the respect agenda to say the least. I wrote to my counterpart in that Assembly—I must now write again because the holder of that position has changed—and offered my assistance.

I am speaking on behalf of the Department rather than the Treasury, but if that money were used to offset the difference, the contract would not be affected and would remain in place. The only difference would be that money would be recouped from the Welsh Assembly rather than directly from the tolls. It is a complicated legal issue. It sounds simple, but it is quite complicated. Did I know about this? I have to be perfectly honest: the answer is no. However, that does not mean that we would not get into negotiations or provide every assistance for that to happen.

All the discussions that we have had to date, including in the Select Committee, have been based on whether there could be a reduction in the toll at night or a reduction in the toll for local residents. I must admit that the position is much more complicated in this case than it is in the case of the two other major bridges that are often cited. Could there be no increases whatever? Everything comes down to the fact that a contract is in place that says that the company is allowed, after costs, to recoup X amount of money before the bridge is handed back into the full ownership of the Secretary of State.

If I were the company, would I want to negotiate any changes to the present contract? Probably not. So what we are talking about is an increase in the time that the tolls would be there. At every stage when I talk about the tolls and the bridge and we have these discussions, it is a question of a balance between the length of time that the bridge is out of our ownership, based on the

[Mike Penning]

contractual agreement that we have, and when it could come back into our ownership and decisions could be made.

It would be wrong of me to say that we are not thinking about what will happen at the end of the concession agreement. Of course, we are thinking about what will happen. However, as I have said, this is a national piece of infrastructure and a cross-departmental matter. It is a national asset. I am sure that the Welsh Assembly and the Welsh people will understand that we will have to consider what happens to the bridge in the context of the investment going into our networks. However, no decision has been made.

Geraint Davies: Naturally, the debate focused on whether we could reduce the toll to £1 up to 2017, but I infer from what the Minister has said that if the money was forthcoming—for example, from the Welsh Assembly or from anywhere else—to pay down the debt now, the bridge would move into public ownership earlier than 2017, in which case we could have lower tolls now, although perhaps not a toll of £1. Can the Westminster Government now pay down that debt from their own money, with a strategy of recovering the money that they pay it down with by reducing the toll now to somewhere between where it is now and £1, so that we could have a lower toll sooner, albeit not as low as £1?

Mike Penning: This is where I wish that I had not joined the Army at 16 but had gone to university and become a corporate lawyer. We can discuss the legalities in quite simple terms. Nothing at all can be done without the agreement of the concessionaire, so should the company decide that it does not want to do what has been suggested, that will be a fact. We are trapped in a contract; everyone knows that and the Committee examined the matter in detail.

I can see the logic of where the hon. Member for Swansea West is coming from, but the Welsh Assembly subsidising what would be the increase this year would not cause the contract to be terminated earlier, because all that would happen is that the same money would be recouped from the Assembly or whoever wanted to pay it as would be recouped from tolls. Thus the length of time would be exactly the same. I will write to the hon. Gentleman—the lawyers are probably panicking as they listen to the debate—to clarify exactly what the legal position is. However, I am certain—this is what all the advice says—that if the company that was formed specifically for this purpose does not want to play ball, there is nothing that we can do.

Jessica Morden: While the Minister is on the issue of the contract, does what has been said equally apply to car sharing? Would it be equally difficult to resolve the issue of being able to swap between different cars in car-sharing schemes?

Mike Penning: I have asked for a note, but it has not arrived. It might do—hint, hint—in the time left. I cannot understand the difference, I must admit. Clearly, car sharing is going on. It happens on the routes that go from where I used to live in Essex into London. We commend car sharing. We want people to share cars, because it reduces emissions and makes travel much more cost-effective for people. I do not understand how the concession agreement would be affected in that respect, but I am sure that the lawyers will tell me why I am wrong—as always, I am being as honest as I can.

The hon. Member for Newport East made a couple of other points earlier. I have already touched on how price freezing and tolling would work. In the Select Committee evidence session, I talked about whether there is more technology that we can use to make things much easier for the communities on both sides of the border and for industry and at the same time to sweat the asset more, as we are doing with managed motorways. In other words, are we getting the best out of the bridge? Clearly, the toll process is causing delays.

We are committed to free-flow tolling at the Dartford river crossing. We made an announcement about that in the spending round, and I made an announcement about it to the Select Committee. There are real technical issues about using automatic number plate recognition, which is what we intend to use. It is similar to what the congestion charge scheme in London uses. There is an enforcement issue, particularly in relation to overseas vehicles. We intend to get that right at Dartford before we introduce the system. However, I can see no logical reason why it could not be introduced at the Severn river crossing.

The problem, of course, is the cost and who bears it. That is what the hon. Member for Pontypridd was alluding to. Let us be honest: why would the company set up in the context of the concession agreement to make this profit say to me, "Okay, Minister, we'll spend X million pounds doing this for you," rather than saying, "Will you pay for it?" or "We'll use our rights to go further in the concessionary period."

The truth is that by the time we fully implement ANPR and free-flow technology at Dartford, we will be into 2013, not least because of the construction work that needs to be done. Doing free-flow tolling sounds simple, but it is not. Otherwise, people would be hurtling through and we would have speed issues and so on. We will not be that far away from the conclusions about what will happen post the concession. I think that the negotiations will have to include what we would expect a modern tolling system to involve in the 21st century. The issue will arise once we have rolled out the system and done everything that we need to do at Dartford. The last thing that the Select Committee would want me to do is to say yes, we'll definitely be able to roll it out in 2015 or '16—in the latter part of this Parliament—if we have not got it running right. I am confident that we can do that, because the technology is there.

I think that we were all sceptical when the congestion charge was introduced in London. The issue was not the rights and wrongs of it, but whether it would work. It does work. The main issue is enforcement in relation to foreign-registered vehicles. I was with representatives of Transport for London only today, working out how we can deal with that.

Owen Smith: I want to clarify what the Minister has just said, because it was very interesting. Is he suggesting that some negotiations have taken place already between the Department for Transport and the company and that, subject to the technology being made failsafe at Dartford, an agreement might be struck whereby the

Government would be prepared to compensate the company for introducing free-flow technology on the bridge before 2017? Is that what he was implying?

Mike Penning: No. That would be a spending commitment, and I do not have the authority in my lowly position to dream of ever giving one. I know that the hon. Gentleman would not want to put words into my mouth, but the answer is no. The only way of funding that before 2017 would be through the concessionaire, and the discussion would be about whether it is willing to fund it under the existing contract—I doubt whether it would be. If we did not allow the company to increase the toll, it would look for an extension or—this is within the contract, and it would have every right to do so—to seek compensation from the Treasury. That, too, is unlikely.

By a miracle, a document has appeared before me. It says that SRC is prepared to negotiate extending the TAG scheme for car sharing. Naturally, however, it will not want to be financially worse off. That may not fully answer the question asked by the hon. Member for Newport East, but it is the best that I can do. I want to be as open as I can about this. I shall write to SRC saying what I was told during the debate and asking the company to clarify its position. I shall share that information with colleagues. It is only right and proper to do so.

I realise that I still have plenty of time, but I have no intention of filibustering—not least because Members wish to disappear. However, I have a speaking engagement in London this evening, so I am more than happy to continue.

In conclusion, I welcome the Committee's report, and I shall work closely with the Welsh Assembly Government in analysing the economic effect of tolling. As my hon. Friend the Member for Monmouth rightly pointed out, there is little hard evidence that the bridges have had an economic effect. I do not say that they have not, but the Committee made extensive efforts to find evidence and did not, despite Chinese whispers among local communities. As I have said, the Welsh Assembly has publicised the fact that some 700 companies have located in the region over the past 40 years, long before the Welsh Assembly was formed, so something must be right. I believe that that evidence is shown on the Assembly website.

I realise that the crossing is a vital piece of national infrastructure. I am proud that my portfolio predominantly covers the whole of this great nation of ours. It is for me to work with and alongside the various devolved Assemblies and Parliaments. At the same time, however, I must ensure that they understand that it is a Department for Transport piece of infrastructure—a Westminster one—despite knowing how emotive it is to the local communities in Wales and those on the other side of the bridge in England.

I have listened carefully to the hauliers. I listen to them nearly every day, and they are an amazing group of people. Perhaps I think that because I hold an HGV licence and used to drive lorries when a fireman—like most firemen, I used to drive part-time when off duty.

The key is fairness. If tolls continue beyond the existing agreement, and if free-flow tolling comes in, it would be wrong in my opinion that the tolls should remain one-way. That unfairness would have to be addressed if we had free-flow tolling and if the toll was increased. A number of truck drivers have told me that they go into Wales one way and come out the other because of the toll. Not only is the Treasury losing income, but it is another unfairness that needs to be addressed, although it is difficult to deal with it now, because of the way it is set up.

I hope that I have not delayed anyone's journey home. Indeed, we will finish a fraction early. I hope that I have answered most questions, at least in general terms. I have been as honest as I can, as I was when giving evidence to the Select Committee. I pay tribute to the Committee on its conclusions, even if we do not fully agree on certain aspects. I was interested to note that all who are here today are Welsh MPs, yet the subject has a significant effect on the UK as a whole.

Geraint Davies: I wonder whether the Minister could signal in the most general terms whether he anticipates the direction of travel for the toll post-2017 to be significantly downwards. It would be interesting information for inward investors.

Mike Penning: As I have said, I do not intend delaying the Chamber. The answer is no. I cannot give an indication, and the hon. Gentleman can probably understand why.

On that point, I hand over to the Committee Chair. I hope that I have paid the report due credit.

5.15 pm

David T. C. Davies: I am grateful to the Minister, a fellow holder of an HGV licence, for giving me another 15 minutes to speak. As some of us wish to make fact-finding visits to the Severn bridge later today, I shall not use it all.

A bridge with a toll is better than no bridge. That is accepted. A bridge with a cashless payment system would be better still, and not one that takes only credit cards; the sort pioneered by companies such as Ringo—I have no connection with the company, but it gave evidence to the Committee—would be better still. A bridge with a reduced toll after 2017 would be excellent, and we look forward to improvements.

The Gwent national party, led by the right hon. Member for Torfaen (Paul Murphy), and I see eye to eye on many things, and we would have no difficulty in finding agreement on the Severn bridge, on the importance of the Union and on the importance of the first-past-the-post voting system—and, I suspect, on whether we hand further powers to the Welsh Assembly. That, however, is an argument for another day. We look forward to improvements after 2017.

Question put and agreed to.

5.16 pm

Sitting adjourned.

Westminster Hall

Tuesday 24 May 2011

[MR PHILIP HOLLOBONE *in the Chair*]

Post Office Card Account

Motion made, and Question proposed, That the sitting be now adjourned.—*(Jeremy Wright)*

9.30 am

Sarah Newton (Truro and Falmouth) (Con): It is a privilege to serve under your chairmanship, Mr Hollobone, and to introduce the debate this morning. I requested the topic as a subject for debate as I was concerned by the apparent lack of progress on an important part of the coalition agreement. I am delighted that the coalition Government have been so publicly supportive of both the need to provide an enhanced Post Office card account and the need to enable more income streams into the post office network to ensure the sustainability of our much trusted and widely respected local post offices.

The additional Government plans for the post office network have received a warm welcome. They include no further closures of our post offices; an extra £1.34 billion in funding for the network between now and 2015; and post offices becoming a front office for Government and offering an expanded range of financial services, including credit unions and existing high street banks giving access to personal and business accounts at post offices. Currently, an estimated 60% of accounts can be accessed through post offices. The Government aim for that to be increased to 80% of all current accounts, and they will seriously consider enabling the Post Office to become a co-operative or mutual.

I understand that, for a variety of good reasons, the Government are exploring the possibility of enhancing POCA while at the same time developing a new account that could replace it. For the purposes of this debate and brevity, I will refer to POCA covering both possibilities. Although I very much appreciate the considerable economic challenges the Government face, as well as the pressure on Ministers' time, I hope that there is a lack only of visible progress and that the Minister today will take the opportunity to update hon. Members on the behind the scenes progress being made. That would allay the concerns in post offices and the communities that they serve around the country. Although they very much support the direction and words of the Government, they want to see action. There is significant potential for POCA to be developed into a fully transactional account aimed at low-income consumers. The account is also vital to the financial viability of post offices, which play an important role in rural areas, where the local post office is often the only access to cash for people, small businesses and voluntary groups.

To help our debate, I will provide some background information on POCA, starting with some history. The direct payment scheme was the Government programme that replaced traditional payments of state pensions and benefits by order book or girocheque over the post office counter with electronic payments made directly into an account. The programme began in 2003 and was completed in 2005. The loss of the payments of pensions and benefits cost post offices about 40% of their traditional income. The Government claimed that direct payment would help to tackle financial exclusion and provide a cheaper method of paying pensions and benefits.

Under direct payment, there were three main options for the receipt of state pensions and benefits: a current or savings account at any bank or building society; a basic bank account; or a POCA, which was introduced in April 2003. A small number of pensioners and benefit claimants were able to sign up to the exceptions service to have their payments continue to be made by the green giro.

At its peak, there were about 4.3 million POCA customers, and that was despite well documented efforts by the Department for Work and Pensions at the time to promote other payment methods and to discourage customers from opening a POCA. The account has unique features that are important to people on low incomes. In particular, there are no restrictions on who can open an account, as long as they are in receipt of a state pension or benefit, and it is impossible to get into debt. It is a straightforward product that enables benefits to be paid into accounts. In March 2010, POCA was enhanced to allow access to cash withdrawals, balance inquiries and other PIN services at post office ATMs and over post office counters.

POCAs have a great deal of public support. When in 2006 the Government announced that they would cease by 2010, the National Federation of Sub-Postmasters campaigned rigorously to overturn the decision, which led to more then 4 million people signing a petition that was submitted to Downing street. As a result, in December 2006, the Government decided to continue the accounts. Another effective campaign by the NFSP led to more than 3 million postcards being sent to MPs, which called for POCAs to be retained exclusively by the Post Office.

Both successful campaigns highlighted the importance of POCAs to sub-postmasters' income. According to the NFSP's most recent research, from June 2009, on sub-postmasters' income, on average, sub-postmasters earned £220 a month—7% of net income—from POCA transactions. However, that average does not highlight the heavy dependence of certain post offices on POCA income, typically those in deprived urban or rural areas. The 2009 survey showed that 15% of sub-postmasters earned £400 or more a month from POCA transactions. When customers withdraw at a post office, they also spend money through other Post Office services, such as bill payments or mobile phone top-ups, or in the attached shop. That footfall is a key factor in maintaining the viability of thousands of post offices.

The NFSP estimates that the value of the POCA contract for Post Office Ltd has fallen from an estimated annual £195 million to £131 million in the period ending in the spring of this year.

Jim Shannon (Strangford) (DUP): Further to the hon. Lady's last point, which was very valid, there are a great many postmasters and postmistresses who have actively engaged with their local communities to ensure that POCAs are available. They have done all the hard work and are now looking at the possibility of those

[Jim Shannon]

accounts being removed through the running-down of rural post offices. Does she agree that it would be detrimental, not only to rural communities, but to small towns, for the Government to pursue that policy?

Sarah Newton: I absolutely agree. It would be detrimental to the post office network if POCAs were removed, but I do not believe that that is the Government's intention.

The reduction in the worth of the contract will be felt in the income of sub-postmasters and postmistresses. It is understandable that the DWP wants to drive down the transaction costs of benefits payments and so sees that reduction as a saving—costs have come down to about 50p from about 70p to 75p per transaction—and I understand why the Government want to look at efficiencies in that way, but there are significant implications for incomes, livelihoods and the sustainability of the network. That underlines why it is so important that the future of POCA and banking services more generally is secured. Existing and new customers would very much welcome enhanced services.

Research on POCA customers by Consumer Focus demonstrates that customers want additional transactional features and want to carry on using post office branches, which they know and trust, to access their payments. A fully transactional account could deliver significant benefits in terms of financial inclusion. Consumer Focus research shows that up to 1.75 million people are "unbanked" and could access a transactional account. By not having a bank account, vulnerable consumers can lose out time and again. Not being able to use the internet to buy goods and services or direct debit for household bills means that they pay more. They miss out on safer money management and convenient access to cash through ATMs. They find it difficult to access mainstream credit or insurance, or to save effectively, unless they are fortunate enough to have local access to a credit union or community bank. They will find it increasingly difficult to be paid for work; Consumer Focus estimates that by 2018 only 2% of employees will be paid in cash.

Richard Graham (Gloucester) (Con): I congratulate my hon. Friend on securing this debate, on a subject that is important to millions of people. Is she aware of the report recently published by the Association of British Credit Unions, which highlighted the opportunities for co-operation between the Post Office and credit unions? Although it is a difficult area and is connected with the mutualisation of post offices, which is taking time, does she agree that it could signify a huge step forward for the millions that do not have access to bank accounts, and will she join me in encouraging the Government to make progress on the matter as soon as possible?

Sarah Newton: I thank my hon. Friend for that interesting contribution. I support the work of credit unions. We have an excellent credit union in Cornwall: Cornish Community Banking provides good services for people on low incomes. As the Government consider the future of the post office network, given its reach into our communities, it is important that they fully consider the positive benefits of post offices working with credit unions and community banks, and how that might work with co-operatives or mutuals. Indeed, credit unions and community banks might work alongside post offices and offer their products through the branches. I hope that the Minister will update us on that.

I return to the benefits of an enhanced Post Office card account. It could also offer a genuine alternative for consumers who are dissatisfied with their basic bank account. Figures provided by the Financial Inclusion Taskforce last year suggest that up to 40% of basic account holders either have dormant accounts or, because of the associated penalty charges, opt not to use the full range of transactional features, including direct debit.

As well as the 1.75 million unbanked people in the UK, there are just under 4 million POCA customers, and benefit payments of about £1.2 billion per annum flow through those accounts. Many people on low incomes are reluctant to open basic bank accounts or current accounts because they fear high charges if they go overdrawn. Treasury research shows that, for low-income households operating a conventional direct debit facility, savings are offset by the loss of an average of £140 per annum in penalty charges. The cost is borne disproportionately by low-income households, who have to juggle daily or weekly income and/or benefits payments.

Consumer Focus recently undertook research on a transactional POCA. The account that it tested offered post office counter withdrawals, LINK-ATM access, the ability to receive inward payments and a debit card. Crucially, it also offered a bill payment facility that allowed customers to benefit from cheaper utility rates. Equally crucial is the fact that, unlike other direct debit facilities, it would be for the consumer to determine the frequency and the amount of payments to be made—and the consumer would not be liable for penalty charges if a payment were missed. A level of control that prevents them becoming overdrawn and incurring penalty charges is important to low-income households, as they have to be careful to live within their means.

I understand that the Treasury has recently finished a feasibility study into accounts that have the additional and useful feature of weekly budgeting. Measures that help people on low incomes to obtain the best prices for essentials such as energy, and enable them carefully to budget incomes and expenditure, are to be welcomed. Many low-income families are susceptible to doorstep lending, with its exorbitant interest rates, which can quickly get them into unmanageable debt.

I hope that a new product can be developed before the POCA contract ends in March 2015, and that existing account holders will be migrated on to the new account. Such an account would have much broader appeal to post office customers. It could lead to a customer base large enough to give economies of scale, which would make the operation of such an account cost-effective. The introduction of a transactional POCA with a budgeting facility will be particularly important in helping to secure the migration to universal credit.

I have been an MP for a limited time. I can see that, despite their good intentions, Governments can find it challenging to work across Departments on joined-up policy. The delivery of an updated POCA or similar new product is one such policy. It needs to be given thoughtful consideration by the Department for Business, Innovation and Skills, the Treasury and the Department for Work and Pensions. However, I understand that, as in so many policy areas, there are conflicting priorities. I realise that the DWP will want to reduce transaction costs for benefit payments. The Department also has the key aim of lifting as many people as possible out of poverty, and the improved POCA could help with that.

I realise that 2015 seems a long time away. However, sub-postmasters, the vast majority of whom are self-employed small business owners who work long hours for low returns, need to know that the Government are committed to introducing an enhanced POCA or a replacement, and that they are on track to deliver a product that will not only benefit customers but give them certainty of income. The recent decision to award the green giro payment contract to PayPoint, with savings going to the DWP but with losses going to the post offices, is a concern to many sub-postmasters.

The post office network has reached a critical point. The previous Government's closure programme, the withdrawal of Government services and major social and economic changes have resulted in 7,000 post office closures over the past decade. However, the remaining 11,500 post offices and 500 outreach services still provide a much bigger network than all the banks and building societies combined. Every week, 20 million people visit a post office, and for every £1 transacted, 14p is handled through the post office network.

Post offices are a vital resource for rural communities such as those in Cornwall. Only 4% of villages have a bank, compared to the 60% that have a post office. Between 2000 and 2010, rural areas experienced the loss of nearly 60% of their banks and building societies According to the Campaign for Community Banking Services, Barclays closed 22 banks during the last quarter, 12 of which were the last, or the last bank but one, in the town. HSBC and Lloyds each closed nine branches. That lack of services and competition for small businesses has been recognised by the Treasury Committee and the Banking Commission in reports in April. This could be a real opportunity for new services to be delivered by post offices, as 47% of small businesses already use the post office more than once a week, especially for stamps, mailing and cash.

Although many post offices run alongside shops—in small villages, they are often the only shop—sub-post office income is worryingly low. New work urgently needs to be brought into the post office network to increase income for the remaining post offices and to ensure that they can continue to serve local communities.

Having outlined some of the challenges that face the post office network and the real opportunity of developing POCA in the war against poverty and the delivery of the universal credit, I look forward to being reassured by the Minister that the coalition Government are taking action to deliver the important legacy of a sustainable post office network.

9.48 am

Cathy Jamieson (Kilmarnock and Loudoun) (Lab/Co-op): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton) on securing this important debate. I had intended only to make a couple of points in relation to my constituency, but the hon. Lady has raised a number of matters that I wish to pursue. I shall refer to the inquiry undertaken by the Select Committee on Scottish Affairs on postal services in Scotland. I have no doubt that my hon. Friend, if I may call him that, who is also a member of the Committee—I mean the hon. Member for Argyll and Bute (Mr Reid)—will want to say something about that report.

The Post Office card account was put in place by the Labour Government, particularly as a way to deal with financial inclusion. For those of us who are used to conducting our financial business online, either on the internet or by phone, it can be difficult to appreciate exactly what it is like for people who do not have access to a bank account. People on low incomes have to ensure that every penny is spent appropriately. We should not underestimate the difficulties that they face in trying to secure the best prices for electricity, gas and other utilities without access to the financial services that we all take for granted.

The post office is important for many elderly people, because they want to be able to conduct their business with a real person and a face they know. They do not want to have to press umpteen buttons on their keypad telephone to be told to hold on, with perhaps the vague promise that they may get to speak to someone at the end of the day. When we looked at the future of post offices in my area, I was grateful for the input from postmasters and postmistresses not only in Kilmarnock but in the surrounding rural villages of Fenwick, Mauchline and Kilmaurs. Post offices in such areas provide an important service, because their customers do not always have access to face-to-face banking. None the less, the amount of business that comes through those offices does not always make them sustainable. All the postmasters and postmistresses expressed real concern about the loss of business from the Post Office card account. In some instances, they believed that that might well make their local post office unviable in the longer term.

During the course of our inquiry in Scotland and in other debates, we have heard a lot from the Government about diversification and about how they are trying to ensure that post offices can adopt different business models at a local level. However, for a tiny post office, such as the one in Kilmaurs, there is simply no option to expand, to put in other retail outlets or to do anything other than provide a post office service, which is what it was set up to do. There are village shops; the Co-op is next door and there are other shops and independent retailers across the road, but the post office and the service that it provides are vital. I accept that the Government have no wish to undertake a closure programme, but if those small post offices are not protected and do not get enough business, they may end up withering on the vine.

We have heard about the option of linking up with credit unions, which would be a worthwhile path to pursue. Credit unions should not just be about the poorest people or the most financially excluded people in our society. They are a perfectly valid business model that is owned and controlled by the members. As part of our Scottish Affairs Committee inquiry, we visited the Pollok Credit Union in Glasgow, which runs a successful post office. We spoke to the people involved, and saw the post office in action at one of its busiest times. The number of people who came along and the types of transactions that they conducted spoke volumes.

[Cathy Jamieson]

In conclusion, I should like to mention a couple of points that have been raised by the National Federation of SubPostmasters. Its general secretary, George Thomson, has made it clear that the Post Office card account, or something of that nature, should continue. It has raised concerns that the award of the contract to PayPoint may have been at below-cost price. Obviously, we want to ensure that every aspect of Government offers good value for money, and the benefit system is no different. Personally, I would rather see the money spent on benefits, so that people have a better quality of life, than being spent on administration. However, I want to ensure that everything is done absolutely correctly and that the Government take account of the social value of the post office in the context of providing a service to people generally and to people on low incomes specifically. I hope that the Minister addresses those points in his summing up.

9.54 am

Mr Alan Reid (Argyll and Bute) (LD): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my hon. Friend the Member for Truro and Falmouth (Sarah Newton) on securing this debate on the important issue of the Post Office card account and on presenting a good case on behalf of our communities. After spending nine years in opposition to a Government who were clearly urban based, it is a pleasure to be part of a Government who understand rural communities.

The coalition agreement includes a commitment to post offices and to making them the front office of government. For that to happen, they have to be financially underpinned so that they can provide a large number of basic services, including the Post Office card account. The importance of POCA to post offices derives not only from the income that sub-postmasters and sub-postmistresses get from it, but from the fact that customers collect their money from the post office and then spend it in the shop. In rural villages in a constituency such as mine, there is often just the one shop and the post office is an important part of that shop. Without the post office, the shop would not be sustainable.

My hon. Friend talked about the need for joined-up government and for all Departments to support the post office. Given the structure of government in this country, there is clearly a temptation for Ministers to engage in silo thinking and to be concerned only about their own Department. Although the Government inherited a terrible financial mess from their predecessors and the pressure is on Ministers to make savings in their own Departments, it is important that our Ministers do not pat themselves on the back for making savings in their own Department at the expense of other Government Departments. The Post Office is a case in point. We need all Government Departments to support the Post Office.

When I came back to Parliament after the election, I was unpleasantly surprised to find that the previous Government had issued tenders to replace green giros, which brought in a lot of money to post offices. People in rural areas were particularly dependent on such a service because it meant that they had a place in their own community to cash their green giros. When the new Government came in to office, they had to deal with the fact that the tender had been drawn up by the previous Administration, which greatly restricted their room for manoeuvre. I was further disappointed when the contract was awarded to PayPoint. Although there are a lot of PayPoint outlets in my constituency, they are all in the towns, and large rural parts of my constituency have no PayPoint outlet. There is no PayPoint outlet in the rural parts of north Argyll. There are about half a dozen in shops in Oban, but nothing outside.

Sarah Newton: I can echo my hon. Friend on that point. We have the same problem with access to PayPoint in parts of Cornwall. However, does he not agree that we should take some reassurance from the fact that the Government have said that people who currently receive the green giros will be given advice on their options, including signing up for a Post Office card account? I will work with my rural post offices to put up posters in branches so that as people cash in their green giros for the last time, they are encouraged to apply for a Post Office card account.

Mr Reid: My hon. Friend makes an important point that customers who use the green giros must be given the option of using POCA and must be encouraged to do so. I hope that this Government's attitude towards POCA will be very different from that of the previous Government. Those of us who were MPs in the 2001 Parliament were inundated with complaints from constituents who were badgered and bullied by the Department for Work and Pensions call centre to move away from POCA to the banks. As I say, I hope that this Government will have a completely different attitude to POCA and that its use will be marketed positively rather than actively discouraged, as was the case under the previous Government.

There is a lack of PayPoint outlets in the rural parts of north Argyll, and there are several islands in my constituency that do not have a PayPoint outlet. Every time I mention PayPoint in a debate, I am conscious of the fact that a few days later a letter comes in from PayPoint saying what a wonderful service it provides. I say now to the person from PayPoint who will read the *Hansard* report of this debate that PayPoint still does not have outlets in rural north Argyll or on several of the islands in my constituency.

As we are discussing green giros, it is important to remember that many people who use them are people who were unable to use POCA for disability reasons. When my hon. Friend the Minister responds to the debate, I hope that he can tell us what facilities will be made available to people with disabilities who were previously deemed unable to use POCA to make it easier for them to access POCA. For example, if they live on a small island without a PayPoint outlet, what are they to do?

One of the lessons to be learned from the green giro contract is the importance of Government consultation before contracts go out to tender. When some of my hon. Friends and I attempted to lobby Ministers to give the green giro contract to the Post Office network, we were told the standard line that all Ministers in any Government use—that once a contract is out to tender and a legal process is under way, Ministers cannot engage in discussions about it. It is therefore important that we consult before contracts are put out to tender rather than, as was the case with the green giro contract, only finding out after the contracts have been put out to tender.

Of course, my hon. Friend the Minister has a responsibility to run his Department as efficiently as possible and to save as much money as possible. However, any savings that are made should not be at the cost of making the problems of financial exclusion worse. I understand that one of his remits is to be the Minister with responsibility for financial inclusion. If the only place in a rural community where people can access cash is a village post office and that post office closes, we will see real financial exclusion. Although pensioners may have bus passes that allow them free bus travel, in a rural community in the highlands there are not that many buses. Even on the days on which the buses run, it is often the case that there is only one bus from a village to a town at 9 am and there is only one bus back at 5 pm. What is a pensioner on a low income to do if they go into a town on the 9 am bus to collect their pension from the post office and they have to wait until 5 pm for the bus back?

Cathy Jamieson: Does the hon. Gentleman accept that for many people, particularly elderly people, the fact that they are able to conduct their business at a post office gives them some particular comfort? There are circumstances in which they simply do not want people to know their business if they have to conduct transactions in a very public place such as another shop.

Mr Reid: Yes. The hon. Lady makes a very important point, because the post office has a certain privacy that, say, a PayPoint outlet—I might as well say "PayPoint", because I will get a letter about it anyway—in a filling station rarely has. Also, the staff who work at the checkout in a supermarket or filling station do not have the training that the post office staff have. That is another very important point.

Sarah Newton: Does my hon. Friend accept that staff in local post offices, such as those in villages in my constituency, know the regulars who come in, particularly elderly or vulnerable people? They can help those people if they have forgotten their PIN numbers; I am sure that that goes against the regulations, but it is a vital thing that they can do. They also notice if Mrs Smith or Mrs Jones does not come along. That sets off an alarm, and they either go round themselves or they ask other people to check on them. That is a vital social service for elderly people and people with disabilities in many of our villages.

Mr Reid: My hon. Friend makes an important point. I hope that the Minister and other Ministers will bear it in mind when they consider the importance of post offices.

The Government have a commitment to the Post Office network, as set out in the coalition agreement:

> "We will give Post Office card account holders the chance to benefit from direct debit discounts and ensure that social tariffs offer access to the best prices available."

I hope that my hon. Friend the Minister can tell us what progress the Government have made towards achieving that objective in the coalition agreement.

In conclusion, post offices are very important to our rural communities. As I have said, the post office often underpins the only shop in a village and there will be all sorts of problems for villagers, particularly elderly people on low incomes, if post offices close. I hope that my hon. Friend the Minister will agree that it is worth the Government spending money or perhaps giving up the opportunity to make some savings to retain the Post Office network in such areas. That means supporting Government services through the Post Office network and, crucially, it means that when the present POCA contract runs out in 2015 its successor is a post office-based product, and hopefully one that offers even more services than POCA offers at the moment. The successor to POCA must be a post office-based product. Otherwise elderly people on low incomes in our rural communities will really suffer.

10.6 am

Nia Griffith (Llanelli) (Lab): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton) on making an excellent opening speech. She outlined the history of the Post Office card account very clearly, but she also showed that she is way ahead of many other hon. Members in thinking about 2015 and the fact that in order to secure the future of post offices any incoming sub-postmaster will immediately ask, "What will be my income in five or 10 years from now?" They see no hope of any inter-business agreement coming through, as a result of the privatisation of the Royal Mail; very disappointingly, such an agreement has not been enshrined in legislation. Consequently, they will ask, "Well, what of the promise that the post office will be the shop front for Government business? What is going to come of that promise?" So it is very timely that the hon. Lady has secured this debate today.

Labour first introduced POCA as a measure to boost financial inclusion. It was designed to give people who had perhaps always dealt in cash an opportunity to collect their pensions or benefits from their local post office. Indeed, by 2008 4.5 million people had a POCA, of whom 30% had no other bank account. Obviously, therefore, the future of POCA is vital for that particular sector of the population.

Those of us who were here in the last Parliament will remember the box-loads of cards that came in begging us to lobby to keep POCA and to have it extended beyond the finishing date of its first phase, which was 2010. Obviously that renewal of POCA was made by the last Government. They put in place the present arrangements, which will run until 2015. Now we need to look towards 2015 and consider what will happen next.

As has been pointed out, the Royal Mail Group used to earn about £195 million annually from POCA. That figure has now dropped to about £135 million annually, but the income from POCA is still a very significant source of income for post offices. Furthermore, it is not necessarily very evenly spread and therefore some post offices will be disproportionately hit if a lot of Government business is withdrawn from the network.

[Nia Griffith]

POCA is important for consumers because it was part of the last Government's financial inclusion plan. It exists so that customers can obtain their benefits or pensions if they cannot use or do not wish to use any other kind of banking account. It allowed account holders or a nominated helper to withdraw cash free of charge at any post office branch using a plastic card that could not be used for other purposes. It also meant that the problem of people getting into debt, and all the difficulties associated with some types of account, were avoided. The important thing now is to say, "Where do we go next?"

In its 2010 manifesto, the Labour party made a clear commitment to a people's bank with a full range of competitive, affordable products, and the hon. Member for Argyll and Bute (Mr Reid) mentioned that there was a commitment in the coalition agreement not only to an enhanced Post Office card account but to a people's bank. The Minister himself stood on that manifesto for a people's bank, so what is happening about it? Why have we not yet seen any steps towards creating any sort of additional banking services in the Post Office? I hope that the Minister today is able to tell us something about the plans, because at the moment it looks very much as if that coalition promise has been broken. There is no plan for any form of people's bank at the Post Office, and we do not yet know what sort of enhanced services the Post Office card account will have—perhaps the Minister will enlighten us.

Richard Graham: The hon. Lady glosses over a bit of the history of the Post Office card account. My memory is pretty clear that in 2007 the account was put out to tender and that by the beginning of 2008 it was clear that the tender would not be given to the Post Office. The previous Government changed direction only in November of that year, after an enormous campaign that showed the unpopularity of the suggestion.

The hon. Lady is right that in March—I think—of last year, the Government started to recommend that the Post Office card account be extended to cover other financial services, and that her own party's manifesto included more of the same, but that does raise the question of why, after 13 years in government, her party took so long to arrive at some proposals for extending the account. It would be fair to say—I hope that she agrees—that this Government have made substantially increased commitments. The question, however, which she rightly raised, is how we will take forward those commitments to using post offices as the front office for more Government work.

Nia Griffith: It was indeed decisive action by the Labour Government in late 2008 that ensured that the contract went to the Post Office. My question here, however, would be, "What has happened to the green giro?"

I refer the hon. Gentleman back to the letter, with which I am sure the Minister is familiar, that George Thomson wrote to the Secretary of State for Work and Pensions in September. It contained a list of ways in which he thought further Government business could be put the way of the Post Office, including, among other ideas, assisted applications for all benefits, assisted benefit withdrawals, signing on, payment in cash and various housing benefit validations. He obviously wanted to discuss in detail with Ministers in the Department for Work and Pensions his ideas about the Post Office becoming a front office for DWP business—the DWP is probably the Department that would most use the Post Office. Instead, however, what do we find? We see the green giro awarded elsewhere, and that is a very significant blow for the Post Office.

Mr Reid: Yes, it is a blow to the Post Office, but the hon. Lady must recognise the part that her Government played. It was that Government who put out the contract and wrote the specification, and if it had specified a widespread rural network, the Post Office would have won the contract.

Nia Griffith: What we want to know now is what the Government will do about securing more Government business for the post office network. It is absolutely clear that unless there is more business, the worrying situation of hundreds of post offices being temporarily closed—for months, or two or three years—will continue. Post offices are closing because it is extremely difficult to identify people who want to take on a sub-post office. They want to see guaranteed income, but instead they see much less security in what they will get from Royal Mail in the future, both because of the drop in the volume of postal items and because there is no guarantee in the Bill currently going through Parliament of any definite business from Royal Mail for the post office network after privatisation.

Richard Graham: The hon. Lady is, of course, absolutely right that the risk at the moment is different from what it was. The risk under the previous Government—the reality, in fact, not the risk—was the Government-led closure of some 8,000 post offices across the country. The risk today is that the network of 11,500 post offices that remain after the Labour closures programme could be weakened—she is quite right about that—if sub-postmasters either retired and no one took over or if they decided that the business was so unprofitable that they had to give it up, again with no one prepared to take over. I must point out, however, that that risk is a very different one.

In Kingsholm in my constituency of Gloucester, a profitable post office was closed. The sub-postmaster was one month short of having served 25 years and wanted to continue in the job, but my predecessor as MP and his Government closed the post office. Under this Government, a post office closed in Quedgeley when the sub-postmaster decided to give it up, but after a while a new sub-postmaster was found and a new post office opened, with the support of Post Office Ltd and the Government. The hon. Lady is right that there is a risk, but it is not the same, and it is much smaller.

Nia Griffith: The hon. Gentleman conveniently forgets that although about 8,000 post offices probably met the previous Labour Government's access criteria we kept 11,500 open, and put in a £150 million subsidy each year to do so. He was very lucky that a new sub-postmaster was found for Quedgeley, but in my constituency, and those of many Members, post offices have remained closed for much longer, and the real difficulty will be in enticing people to take on the businesses if they cannot see a viable future in them. I am so grateful to the hon. Member for Truro and Falmouth for securing the debate today, because the Post Office card account will be a key part of that viability.

Alex Cunningham (Stockton North) (Lab): I was absolutely delighted this week to receive a letter from the Post Office saying that it is reopening a post office in Port Clarence, a community in my constituency. That has been made possible by the local authority, voluntary organisations and the local community working together. Is there not that wider responsibility on a whole community, even though the Government also need to be in there to ensure that things happen?

Nia Griffith: Indeed. It is very much a partnership, and where that can happen, all to the better, but a key part of that partnership is the Government business, which is what we are talking about today.

I hope that the Minister is able to shed some light on what the Government mean by Government front office. What is the additional business that they hope to give to the post offices? What is the enhancement of the Post Office card account that they can offer at this stage, and what is the future for the account after 2015? Without that security and that business coming into the post offices, it is very difficult to see how we will encourage new entrants to take on post offices, particularly in areas where there is little opportunity to do much else in the post office, because they are very small, for example. Sometimes there is little else in the village that would offer people the opportunity to get enough money just to pay the milkman or the fish van that comes round. I have constituents who cannot get the cash they need for very small, simple, everyday transactions without a local post office. It is absolutely vital, therefore, for the future of the Post Office that we get that Government business, and I hope that we will hear how the DWP will contribute to that and, in particular, what its views are and its plans for the future of the Post Office card account.

10.19 am

Rachel Reeves (Leeds West) (Lab): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton) on securing this debate, which I know will be welcomed by people up and down the country who rely on post office services in their local community and value the Post Office card account. As she said, this debate is a chance for the Minister to alleviate some of the concerns felt by sub-postmasters and postmistresses and their customers. Consensus is building on the importance of guaranteeing Royal Mail business for the Post Office. I hope that the Government will take note.

Two key issues are at stake. The first is ensuring access to pensions and benefits, especially for vulnerable people and those in rural communities. The second is ensuring that the post office network as a business is viable and vibrant in the long term. The importance of both those issues rings true in my constituency, where temporary closures include the Hawksworth Wood post office, which has been closed for nearly a year, despite Government promises that there would be no more post office closures. Since the closure, local residents have had to travel to other areas for the post office services that they value, either tackling a long, steep hill or paying for a bus to another part of the city. The closure has been devastating to the community served by the post office. It has been particularly hard on older people and more vulnerable people, as many hon. Members have said, because the face-to-face service that they are used to is extremely valuable.

I am sure that many hon. Members have experienced similar closures in their constituencies and know at first hand the difficulties that they create. Currently, 424 post offices are temporarily closed, 417 of which have been closed for a prolonged period. It is vital that we strive to keep post offices open and help them adapt to changing demands from their customers and, particularly, to protect the vulnerable. Post offices are at the heart of many of our communities, and we need to make it easier for them to survive. The business generated by the Post Office card account can help them to do so.

Labour did not get everything right on post offices, but POCA in the post office network was a proud achievement. POCA was introduced by the Labour Government to improve financial inclusion, as my hon. Friend the Member for Llanelli (Nia Griffith) said. That is particularly important in deprived and remote areas. I am proud of Labour's decision to introduce POCA and the decision in 2008 not to allow it to leave the post office network, which would have diverted business away from the Post Office and jeopardised the viability of many of our local post offices.

About 4 million Department for Work and Pensions benefit and account payments were made through POCA in 2010, to a group of customers who rely on a simple service to receive their pensions and benefits. Many of them are elderly: 55% are pensioners. POCA is a core aspect of Post Office business and a key driver of footfall, but it is also designed to promote basic financial inclusion. Unlike most financial products—I say this as someone who used to work in financial services—POCA has huge support among the people who use it. When the POCA contract was on the agenda in 2006, as has been said, it generated 4 million signatures in support of keeping it in the post office network. I believe that that is the largest ever peacetime petition.

A Help the Aged survey of its members also found that they were overwhelmingly in favour of the service. Help the Aged's report highlighted the importance of post offices, particularly to older people who rely on POCA, and POCA's popularity in rural areas where no local bank is easily accessible. That is also an issue in some of the most deprived urban areas.

The Post Office card account has several key advantages for its customers. Some 71% of people without access to a bank account depend on POCA to receive payments. POCA customers are often people who cannot or do not want to access bank accounts; 30% have no other bank account. According to Age UK, someone from an unbanked household is 23 times more likely to use a POCA than someone from a household with access to bank accounts. POCA is also the only facility for receiving benefits or pensions open to people who have been declared bankrupt. Another good feature is that the facility offers no risk of getting into debt. POCA also offers a crucial facility for people with mobility problems. Almost 10% of Post Office card account holders have a

[Rachel Reeves]

second card that can be given to a carer to draw cash on their behalf, a facility not available through high-street banks.

POCA was introduced as part of a wide-ranging approach to financial inclusion as a simple facility for people who could not or did not wish to use a bank account. However, POCA alone is not enough to ensure that older, vulnerable and hard-to-reach customers are financially included. To do so, the Government could work to identify links with credit unions and consider carefully what steps are needed to increase the accounts' functionality in the interests of post offices and their customers. Like other hon. Members, I urge the Government to increase POCA's functionality and consider whether direct debits could be introduced. Even now, people with a Post Office card account but no bank account do not get the direct debit service that helps save money and time on utility bills and other payments, a service that most of us take for granted.

There are, of course, risks involved in introducing direct debit functionality. The Treasury financial inclusion taskforce has documented the excess charges often incurred by new users of bank accounts, and they must be taken into account, as average losses are £140 a year and charges are focused on the poorest households. Consumer Focus also has concerns, but none the less supports a more flexible POCA account, and its research indicates that POCA users do too.

The coalition agreement said:

> "We will give Post Office card account holders the chance to benefit from direct debit discounts and ensure that social tariffs offer access to the best prices available."

In answers to parliamentary questions, the DWP has also said that research is being conducted on the subject. What steps have been taken to ensure that that promise is delivered?

Members are keen to ensure that POCA lasts beyond 2015 and that we have some certainty about the future, as my hon. Friend the Member for Llanelli said. The year 2015 may seem like a long way off, but POCA customers and sub-postmasters—like many Liberal Democrat MPs, if I may say so—look to 2015 with some trepidation.

When exploring options for increased functionality, it is important to consider that the Post Office has unprecedented access to the consumers whom credit unions are best able to support. Credit unions do an immense amount of good in our communities. The Leeds and Bramley credit unions have a tangible impact on the lives of my constituents, too many of whom, lacking access to the services that credit unions offer, are driven into the arms of loan sharks. However, credit unions in my constituency lack a shop front and a high-street presence. The post office network could help change that.

Despite sending a mixed message with the financial inclusion fund, the Government have supported credit unions and could take a serious step to support them by linking them with the Post Office when considering the Post Office card accounts. Will the Minister update us on what practical measures the Government are taking to support that aim? Hon. Members support credit unions as an important source of affordable finance within our communities and welcome the opportunity to increase footfall in our post offices.

We must make it easier for post offices to survive. POCA is one of the services that ensures the viability of post offices. About 20% of total visits to post offices, or 6.5 million visits a week, are made to access POCA payments. POCA brings in a significant portion of income for sub-postmasters up and down the country. The National Federation of SubPostmasters has estimated that it provides 10% of sub-postmasters' net pay. In rural and deprived areas such as Truro and Falmouth, Argyll and Leeds West, that proportion jumps significantly: it is about 12% in deprived urban areas, for example. Indeed, 15% of sub-postmasters earn £400 or more a month from POCA transactions. Nationally, POCA brings in about £195 million a year.

POCA customers ensure vital footfall and additional income to ensure that post offices remain at the heart of our communities, but a Government supposedly committed to preserving the footfall have already failed one test by handing the green giro contract to PayPoint. Now 250,000 people who would previously have gone to post offices to collect their green giros will no longer do so. That is a negative step that could damage our post offices and reduce the services available to customers.

The Minister of State, Department for Work and Pensions (Steve Webb): The hon. Lady will be aware, as has been said, that the previous Government initiated a competitive tender and set criteria for bidding. All of it was undertaken according to strict European Union competition rules. If one of the two bidders was substantially cheaper than the other, does she think that the Government should have gone with the higher bidder?

Rachel Reeves: As the Minister knows, that decision would have been outside my domain, but we should consider the Labour Government's decision in 2008 to award the Post Office card account to the Post Office rather than continuing with the tender. That is an example of what this Government could have done if they had chosen to do so, but they did not.

In evidence to the Select Committee on Scottish Affairs for its report on postal services, the general secretary of the Communication Workers Union, Billy Hayes, described the decision to remove green giros from the Post Office, at a time when the Government were committed to increasing the use of the post office network, as being

> "about as joined-up as spaghetti".

This is a hit to the footfall in post offices, and I urge the Government to ensure that POCA remains a Post Office account.

With the POCA contract subject to competition tendering requirements, and considering the fact that only 4,000 of approximately 12,000 post offices are viable independent of the shops in which they operate, the stakes for the future POCA contract could not be higher. Moreover, with Government commitments to the post bank seemingly in the long grass, as my hon. Friend the Member for Llanelli has said, and with little tangible progress towards making the Post Office the front office for government, what assurances can the Minister give us that POCA will be part of securing the commitment to maintaining post office services?

Richard Graham: The hon. Lady has mentioned—with, I think, approval—the remarks of Billy Hayes from the CWU about this Government's approach. Does her party support Billy Hayes's mantra of no cuts?

Rachel Reeves: That is outside the domain of today's debate. I quoted what Billy Hayes said about taking the green giro account away from the post office network. I do not think that he supports that. I think that he would have preferred to have kept it in the post office network. That is the context in which I quoted his comment that the Government's policy is

"about as joined-up as spaghetti".

Richard Graham: What does the hon. Lady estimate would have been the cost to Government of re-awarding the green giro contract, and how would her party have funded that?

Rachel Reeves: As the hon. Member for Truro and Falmouth has said, it would be good to see the Government working on a more joined-up basis. Savings for one area of government put costs on another area of government, and this is a prime example of that. It also goes against the commitments in both the Conservative and the Liberal Democrat manifestos. They would have put more services into post offices, but awarding the green giro account to PayPoint goes against those principles.

Mr Reid: The hon. Lady keeps forgetting that it was the previous Labour Government who wrote the tender specification, which could have specified the need for an extensive rural network. That would have meant that only the Post Office would have qualified, so why did her Government not specify the tender in that way?

Rachel Reeves: As I have said, the Labour Government did not get everything right in relation to post offices. The Labour party is using the period of our policy review process to look at a large number of our policies. I return to the point, however, that both the Liberal Democrat and Conservative manifestos made it clear that those parties were committed to giving more services to post offices, not to removing them. That is why the decision on the green giro was so disappointing, because it went against those commitments.

To return to another point that I made earlier in response to the Minister's question, although POCA was put out to tender, the previous Labour Government recognised the public concern, ended that process and gave POCA to the Post Office. That decision was welcomed by our constituents and by post offices up and down the country.

Richard Graham: Will the hon. Lady give way?

Rachel Reeves: I will, but we need to get to the Minister's remarks, so this will be the last intervention that I will take.

Richard Graham: I am grateful to the hon. Lady for her generosity. It is worth highlighting the fact that the commitment in my party's manifesto was to maintain the post office network. The commitment by this Government to provide £1.35 billion to make sure that Post Office Limited maintains that network is the single most important example of expenditure to maintain a post office service that I can think of over the past 15 years. Does she not agree?

Rachel Reeves: The Conservative manifesto said:

"Nothing underlines the powerlessness that many communities feel more than the loss of essential services, like post offices".

We all know, however, that removing services such as the green giro from post offices makes it harder for them to be viable in the long term. The Government may be giving money in one way, but they are taking money away from post offices by removing from them services such as the green giro.

Today's debate has been consensual, with representatives from all parties saying that they want to support their local post offices. We should welcome that consensus and try to work together to support post offices and the people who use them in all our communities. That has been the tone of my remarks. I have admitted that Labour did not always get things right, and it would be good to hear other Members say that not everything that their parties are doing is right in representing the people whom we are here to serve—our constituents.

In conclusion, we have heard useful and interesting contributions from Members who represent both urban and rural areas, who know first hand how important post offices are in their communities. I have set out what I think are the key questions surrounding POCA and some wider questions that the Government must answer on the future of postal services.

I have already quoted the Conservative manifesto, but the Lib Dems also promised a post bank as a central plank of their efforts to keep post offices open. People who rely on the post office are keen to know what is happening now that those two parties are in government. They are keen to hear whether the coalition partners are making POCA part of realising their pre-election promises, both up to and beyond 2015.

The post office is at the heart of communities up and down the country. In an era of falling trust in financial services, the Post Office remains a beacon of hope for restoring trust. I welcome this debate—I congratulate the hon. Member for Truro and Falmouth again on securing it—as an opportunity to lend support to POCA and post offices, and to emphasise that decisions about POCA should be made with the intention of making sure that the post office is a viable and vibrant part of our communities in both urban and rural areas, offering services that pensioners, families and the most vulnerable in society rely on.

10.36 am

The Minister of State, Department for Work and Pensions (Steve Webb): Good morning, Mr Hollobone. I join the congratulations to my hon. Friend the Member for Truro and Falmouth (Sarah Newton) on securing this important debate. I am delighted that, although this is the final day before the Whit recess, we have a good turnout and that, as has been said, we have

[Steve Webb]

heard perspectives from rural and urban England, rural Scotland and Wales—indeed, from around the United Kingdom.

Jim Shannon *rose—*

Steve Webb: Before the hon. Gentleman seeks to intervene, I should say that, when I said the United Kingdom, I thought that I was including Northern Ireland.

There are a lot of common threads. Any community-minded constituency MP will echo much of what has been said this morning. My own constituency is a mixture of market towns and villages, most of which, notwithstanding the series of cuts over the past year, either have sub-post offices or, in some instances, have reopened them as community ventures—community shops, co-operatives and so on. I think that we all share that commitment to the post office network.

My hon. Friend the Member for Gloucester (Richard Graham) is absolutely right to say that, although money is tight, the Government should prioritise spending on the post office network. I encourage him to think about which Government Department identified £1.34 billion for the post office network, and about the other spending issues that that Department faced that raised some political issues. He will recall that there were other calls on the Department's money, yet it prioritised the post office network, because we are about not just words, but deeds in relation to that. To be clear, in return for that £1.34 billion, Post Office Ltd must maintain a network of at least 11,500 branches and continue to adhere to the strict access criteria that mean that 99% of the population live within three miles of a post office.

Nia Griffith: Does the Minister agree that, under the previous Labour Government, it was £150 million per year and that that went up to £180 million per year in the last year in which we were responsible for setting the subsidy? That is half of what the present Government are giving to the post office network, and it was sufficient to keep open those 11,500 post offices. Why on earth has such a large amount of money been given to the Post Office when it would be far better to create the streams of business that make post offices viable and sustainable for good, so that they do not need that type of subsidy? I find it very difficult to understand why doubling the subsidy is the best way forward when making things viable would really be the best way forward.

Steve Webb: I could not have written that question better myself. Why is it necessary to double the subsidy to keep the post office network going on a viable basis? Because so little was done over the past 13 years to make the post office network sustainable. That is precisely why we have had to put temporary subsidy in while we get the Post Office back on its feet.

I shall quote from the Department for Business, Innovation and Skills document, "Securing the Post Office Network in the Digital Age." On the very point that the hon. Lady raises, it states:

> "Senior management at Post Office Ltd... estimate that without action and modernisation"—

how much of that happened?—

> "keeping the network operating at its current size would result in the annual subsidy required from taxpayers rising from £150 million this year to £400 million by 2016—and would carry on climbing."

That is the legacy. That is what would have happened had we done nothing. I sense, Mr Hollobone, that you are not a great PowerPoint fan, but it is at such moments I wish we could have a screen and slides because I would simply refer hon. Members to chart 3 of that document.

I will point that document in the direction of Opposition Members because it shows that the long-term gradual decline in the post office network is partly because of demographic trends—sub-postmasters retiring and not being replaced—and partly because, during the 13 years of a Labour Government, the number of post offices has fallen off a cliff. During the two closure programmes between 2003 and 2009, 5,000 branches were closed. People have stood in this place and in this Chamber for the past 13 years pleading loyalty to the post office network, yet those were the people who carried out two massive closure programmes.

Nia Griffith: Does the Minister not agree that the fundamental reason for the Post Office's loss of business is the complete revolution in how we correspond with each other? Personal letters were of immense importance 20 years ago, but the growth of the internet and so on is clearly the main factor in the reduction in the amount of mail business going through post offices. That is the be-all and end-all and the real reason for the existence of many post offices, in addition to what Government business they can do.

Steve Webb: The reasons for the decline of the post office network are many and varied. When I go to my local village post office, I am told that eBay is keeping it going. The fact that people buy postage for parcels and so on brings a whole range of different customers into the post office network. One of the biggest trends, which was accelerated by the previous Government through direct payments, was people being paid via their bank accounts, rather than by traditional giros at post offices. That was one of the single biggest changes that accelerated the demise of the post office network. Opposition Members ought to take just a tiny bit of responsibility for the trends that we have seen.

On the Post Office card account specifically, the perspective of POCA users has been missing from the debate. The Post Office has recently published some startling research that it undertook on what POCA holders wanted from the account. The Post Office talked to 930 people and asked the following about the POCA:

> "is there anything you would change about it, for instance any additional services you would like it to provide?"

Some 80% of respondents said "nothing." I will return to that significant point. Some 80% of respondents did not want any changes to the account and they valued POCA for its particular characteristics, which we should think carefully about changing. The next most popular answer to that question had a 4% response rate. I shall read down the list of things people would change about POCA, which have a response rate of between 4% to 2%:

> "deposit/cash cheques into it; more cashpoints; use any ATM; comments relating to PO service in general; more flexible like a debit card; interest on account balance; online account access."

Hon. Members will have noticed that direct debit is not on that list. Some of these issues are counter-intuitive. I will not say that I like nothing better than to go online to use my bank account—which, I should just add, I access at the post office—but the folk who use POCA value it for what it is. As a number of hon. Members have said, we need to ensure that the people who have POCAs can benefit from things such as direct debit. However, that may not imply sticking things on to POCA.

Why might it be a good thing to provide access to those services but not to do so through changing the POCA? It is striking that many hon. Members have said that 30% of people with a POCA do not have another bank account. However, I tend to think of it the other way around. Some 70% of people with a POCA have a bank account or some other sort of account. So why do they have two? If they have a bank account with direct debits and all the rest of it, why do they bother having a POCA? Because people like to budget in different ways and they like a simple account that cannot go overdrawn.

Some of the evidence on charges is startling and worth repeating. I have been known occasionally to go overdrawn without planning to and I am shocked when I see the charges. The evidence of what happens shows that most people do not simply face one charge in a year. Once things have gone wrong, the charge is debited. People are then more overdrawn, they perhaps do not notice it and so another charge goes on. Just to give a feel of the situation, in 2008, out of 12.6 million active bank accounts, about a quarter incurred at least one penalty charge and the average charge was £205. Of that 2008 sample, a quarter of people had one charge, 15% had two charges and 39% had at least six charges.

Hon. Members can start to see why such an overdraft facility—there might also be a situation where someone had a POCA that could not go overdrawn but a direct debit bounced and somebody somewhere had to pay a charge for that—is not necessarily what people are asking for. People do not want to pay more because they are on a low income, so we need to find ways of giving them access to the best prices. However, grafting the ability to use direct debit on to an account that people like because of its simplicity may not necessarily be the best answer.

I absolutely stand by our coalition agreement commitment. The coalition programme for Government includes a pledge to give POCA holders the chance to benefit from direct debit discounts, but that should not necessarily be done by grafting direct debit on to POCA. We have listened to what the account holders are saying to us and our impression is, yes, people want the best prices they can have, but not necessarily by taking a product they value and turning it into something else.

That brings me on to the point my hon. Friend the Member for Truro and Falmouth made about the fully transactional account. One of the problems with the fully transactional POCA is that it would be so different from the product that was originally tendered, we would have to retender. The postcards will probably go to the Under-Secretary of State for Business, Innovation and Skills, my hon. Friend the Member for Kingston and Surbiton (Mr Davey), but I have a feeling we might be going through it all over again. The comment rightly made by the hon. Member for Kilmarnock and Loudoun (Cathy Jamieson) was that there is uncertainty about the future. There always is. If we said that we need a full transactional POCA, so we are going to retender for it, I suspect that there would be riots on the streets of Kilmarnock.

We do not want more disruption and uncertainty. What we want—and as a Government what we are trying to do—is to work in partnership with the Post Office far more. Rather than those involved with running post offices being people to whom we do something, they should be in here as people we do something with. That is a profoundly different approach. The hon. Member for Leeds West (Rachel Reeves) talked about joined-up government and different Departments not damaging the Post Office. The Department that springs to mind is the Department for Transport. I renew my car tax each year at my village post office because, having talked to the sub-postmistress, I know it is one of the biggest transaction charges it gets. The Department for Transport would rather I did not do so. It sends me letters that say, "Do it online—you don't have to go to your post office." One year, it had a prize draw—or a raffle or lottery—in which I could win a free car.

The fact that Departments are not working in a co-ordinated way on the Post Office is not new. I work closely with the Under-Secretary of State for Business, Innovation and Skills, my hon. Friend the Member for Kingston and Surbiton, and the Financial Secretary to the Treasury. The three of us have discussed financial inclusion issues, particularly credit unions. The post office network and credit unions could work together. There are exciting possibilities on that. One of the challenges is that, although credit unions are often very good and strong in a localised way, there are some very small credit unions and, in large parts of the country, if we asked someone on the high street where their nearest credit union is, they would not know what we were talking about. The potential for linking post offices and credit unions and access is very exciting, but it is also very expensive. That is the trade-off and the challenge.

We do not want credit union accounts with hefty charges because that would defeat the object of the exercise. We are wrestling with how to bring those two things together, but there are real opportunities for the post office network to build closer links with credit unions. In recent years, credit unions have made great progress in bringing affordable, financial services to people who would not otherwise be able to access them. I want credit unions, in partnership with the Post Office, to provide more services more efficiently to more people. That is what we want to see.

I was asked about the Post Office as the front office for Government. A number of Government Departments are looking at ways to do that, and I want to share briefly with the Chamber some measures that the DWP is taking. The hon. Member for Llanelli (Nia Griffith) mentioned George Thomson at the National Federation of Sub-Postmasters, who wrote to the Secretary of State. I am delighted to say that, in response to that letter, the Secretary of State had a face-to-face meeting with George Thomson. Several points that she read out, and which were on his list, are now being piloted in Government.

For example, a pilot for document verification started last week. The Pension Service, for which I am responsible, is piloting a check-and-send style service. That is for applicants who claim state pension or pension credit,

[Steve Webb]

and who are required to submit additional documents in support of their claims, such as birth or marriage certificates. Many people do not like sending their marriage or birth certificate in the post, so why not go into a post office and let post office staff check the documents, as they do when people renew their car tax? Post office staff could say, "Yes, that is fine; I have seen it. I am authorised to say that." That would be quicker, and would give the Post Office revenue and footfall—everybody would be happy. That is not a—I do not think the word "piddling" is parliamentary—little pilot. Some 106 post office branches in the north-east of England are involved—a big pilot. It started last week and will run for three months in the Seaham pension centre catchment area. It will include a mix of Crown branches in urban, urban deprived and rural locations.

That is one concrete example; let me give the Chamber another. Later this year, we will be looking at a national insurance number pilot, which will investigate whether applications from what we call low-risk groups—EU citizens in states that are already members of the EU, not including the accession countries—could be directed to the Post Office for the evidence-gathering interview to get a national insurance number. Although the Post Office currently carries out document checking for the Driver and Vehicle Licensing Agency and the Identity and Passport Service, the DWP requires something qualitatively different. We are working closely with the Post Office to see if we can have an efficient but secure service, and hope to go live with the project later this year.

We want business in post offices, but we do not want dirty great queues. In other words, if I am queuing up to buy a stamp, I do not want someone in front of me trying to verify a national insurance number. We have to try to think of what post offices are good and efficient at, and harness that without disrupting the core business of the post office. That is why we are conducting these pilots.

The hon. Member for Llanelli mentioned signing on. In rural areas, getting to a jobcentre can be quite a trek, so why not sign on at the post office? At the moment, I was surprised to learn that customers in rural areas, intriguingly, sign on by post. The pilot will test whether there are benefits in requiring customers to attend and sign on in a local post office instead. We will evaluate that approach across a wide geographical spread and range of labour markets. We have identified test locations in Essex and in the highlands and islands—a range of areas.

Cathy Jamieson: That is very positive. Does the Minister agree that there are potential lessons for local authorities? Will he undertake to ensure that the outcomes of pilots are conveyed directly to local authorities, including in Scotland, as they may wish to look at doing something similar, particularly the check-and-send style service?

Steve Webb: I am very happy to undertake to do that. Those are some examples of what the DWP is doing. Other Government Departments are also looking at things, including our friends in the Department for Communities and Local Government and in the devolved Assemblies and Parliament. We want to see everybody working together, alongside and with the Post Office, rather than simply taking bits of business away.

The issue of the green giro was, properly, raised. I was intrigued by the hon. Member for Leeds West. Having quoted Billy Hayes, she then said that, having issued competitive tender for a second time, we should have ripped it up and just given it to the Post Office anyway. I do not think that that was the intention of the previous Government when they issued the tender. It would raise one or two issues about tendering if, every time the Government issued a tender with the Post Office in it, they panicked half way through and then just gave it to the Post Office anyway. That might undermine the concept of tendering, not just with the Post Office but across Government as a whole. Indeed, I have a suspicion that if we kept doing that we would probably end up subject to legal challenges too, which might cost a good deal more than the money we spent on the contract.

It is worth putting the issue in context. I take the point that there are variations between post offices, but the green giro, on average, delivers a fiver a week to the average sub-postmaster, just to give a sense of scale—a fiver a week, and falling. The number of people with these cheques and green giros is falling. It is therefore worth retaining a bit of scale. They are important, and my hon. Friend the Member for Argyll and Bute (Mr Reid) is right to mention the importance of rural access. I can assure him that, before the contract was awarded, I stood in my office with a map of the United Kingdom with dots on it, marking out the PayPoint network and the Post Office network. I was pleasantly surprised by the rural extent of the PayPoint network, but I take his point about north Argyll and the islands. I hope that PayPoint reads *Hansard* and does something about that. I can tell his constituents, through him, that my hon. Friend has been a pain in my side on this issue, and properly so. He has represented those concerns very strongly.

My hon. Friend asked specifically about disabled people. I stress that all the outlets that can be counted for the tender have to comply with the Disability Discrimination Act 1995. The new service, the replacement for the cheque, is specifically designed to be simple for that group of clients. There is no need to sign and there is no need for a PIN—it is only necessary to present a card. It is designed to be analogous. In a sense, it is converting a piece of paper to a plastic card. Beyond that, it is essentially the same process designed for the same people. Access was very important to us.

We covered a wide range of issues in the debate. I was interested to hear the hon. Member for Kilmarnock and Loudoun mention her visit to the Pollok credit union. That is a positive example of a credit union and post office working together.

I was interested in the point made by my hon. Friend the Member for Gloucester in an intervention. He pointed out the difference we now see with the post office network. The Post Office has had the promise of a subsidy to undertake to maintain the network at the 11,500 level, so when there is a closure of a post office, effort is now going in to replace it. Rather than the gradual attrition that has gone on, frankly, for decades, there is now a Government in place who are committed to protecting the network. That is a sea change in attitude, and one that post offices will very much welcome.

A question was asked about the tender process. Clearly, such processes are done under strict rules. We are required, under the EU, to be specific about what we are tendering for, and to include both cost and qualitative factors. We can take account of access—that was part of the consideration. I have no reason to think that that process was not properly undertaken, but if the hon. Member for Leeds West has further evidence on that she is welcome to send it to me.

My hon. Friend the Member for Argyll and Bute mentioned the issue of what happens when a village or a community does not have PayPoint access. One thing that the Post Office can do—I think that my hon. Friend the Member for Truro and Falmouth mentioned this—is to see this as an opportunity to offer customers a Post Office card account, or to remind them that there are approximately 30 different sorts of accounts that can be accessed at post offices. Hitherto, when people turned up with a green giro, there was no incentive to say, "Why not have a Post Office card account?" Now that there is, I hope that many of his constituents will do so.

We have heard about the excellent work of post office staff, with their friendly, familiar approach and knowledge of people. An interesting mix of people receive green giros. It is not necessarily overwhelmingly people who struggle with signatures or plastic. Often they are young unemployed people, whose financial situation is a bit chaotic. The mix is diverse. Many community post offices will be able to provide a facility for the people my hon. Friend is rightly concerned about, so that they can access their money at the post office through a POCA, with the help and support that post office staff so often give. I place on the record my appreciation, and the Government's appreciation, of the sub-postmasters up and down the land, who are very often the heart and soul of our community.

What I want as a Government Minister, instead of warm words while presiding over a halving of the post office network, is to put the money in to ensure that post offices are there, and to give them that breathing space to modernise the network. Ultimately, that has to be the key. Rather than presiding over declining business, and Departments across Government withdrawing a bit here and a bit there to save some money, let us look forward. Let us look at new services of the sort being piloted by the DWP. Let us look at modernising the premises. There are some exciting ideas. I will not go into detail, but there is the idea of a "post office local", whereby the rather intimidating screens will come down and post offices will be much more friendly and welcoming.

The post office network has huge potential. It is worth remembering that it is still the biggest retail network in the country, notwithstanding everything that has gone on. My commitment, as a member of this Government, is to ensure that we are not passive bystanders watching the network decline, but that we are active participants encouraging and supporting the Post Office, and making sure that it has the bright future that everyone in this House wants to see.

Night Flights (Heathrow)

10.59 am

Mary Macleod (Brentford and Isleworth) (Con): I am grateful for the opportunity to speak in this important debate on night flights at Heathrow.

The debate is timely because it takes place during noise action week, which is organised by the charity Environmental Protection UK. Noise action week highlights the impact of excessive noise on our communities, and it encourages communities and organisations, including business and government, to work together to find solutions. I hope that today's debate is a constructive contribution to that goal.

The Government are assessing the noise action plan for Heathrow and will shortly consider the new agreement on the number of night flights allowed at the airport from 2012 to 2017. The Department for Transport also has an open consultation on the Government's future aviation strategy, "Developing a sustainable framework for UK aviation".

My position on Heathrow is clear. With a constituency next door to Heathrow, where some residents work, and as a former frequent business traveller, I appreciate the value that Heathrow brings to our area and the importance of the aviation industry to the economy and for creating jobs for the future. I am proud of our engineering capability and our world-class airlines. I want tourists to come to this country, and businesses to come and invest in the UK economy. For that, we need great airports, supported by the best customer service from the airlines.

My aim is to ensure that Heathrow continues to thrive but, at the same time, that we take into account the quality of life of people living and working around the airport—local residents, businesses, schools and community groups. That is why I was delighted that one of the first decisions by this Government was to stop the third runway at Heathrow and to maintain the runway alternation that allows local residents some respite from aircraft noise. I thank MPs in west London, including my hon. Friend the Member for Windsor (Adam Afriyie), who is present, HACAN—Heathrow Association for the Control of Aircraft Noise—which is an action group representing people living under the flight path, Hounslow council, the 2M Group, the Mayor of London and the then Opposition team responsible for transport, for working with me during the campaign against the third runway.

I cannot commend the Government highly enough on their decision. We did what the previous Government did not have the courage to do. The decision was an example of a listening Government. I was told, when I started on the campaign against the third runway, that the task was impossible—politicians told me, residents told me—but I do not believe that anything is impossible. Being told that only makes me more determined. I thank my right hon. Friend the Minister for all she did to achieve that decision.

Today, I wish to address three basic themes. First, is noise, particularly from night flights, an issue at Heathrow? Secondly, are night flights necessary? Thirdly, I have some considerations for the Government on the issue of night flights at Heathrow. My constituency of Brentford

[Mary Macleod]

and Isleworth stretches from Chiswick to Hounslow Central and Hounslow Heath, and it lies under the Heathrow flight path, so I am well aware of the problems caused by noise, particularly for residents who are frequently woken during the night. I receive lots of correspondence on the matter, and a constituent from Isleworth summed up the sentiment of many people in a recent e-mail to my office:

> "As someone who doesn't sleep easily, I am writing to you to complain about planes landing early in the morning—six flew over this morning at around 4.30 am. This seems like a totally unreasonable time to be woken in the morning."

As part of my campaign against the third runway at Heathrow, I took the then shadow Transport Minister—now my right hon. Friend the Minister—to Grove Road primary school in Hounslow Heath, where the pupils clearly explained the impact that the aircraft noise, both at night and in the day, has on the quality of their learning.

When we talk about night noise from aircraft at Heathrow, we need to be clear about our terminology. A "night flight" takes off or lands at Heathrow between 11 pm and 7 am. The Government set strict quotas for how many night flights are allowed at Heathrow, but those quotas apply only between 11.30 pm and 6 am. A number of factors influence the number of flights: noisier planes take a higher quota; figures are different during summer and winter; and the noisiest planes are restricted altogether from scheduled take-offs and landing during the night flight period. On average, over a year, 16 flights are allowed per night. No restrictions apply after 6 in the morning—indeed, that is one of the busiest hours of the day. People such as my constituent from Isleworth could, if they are light sleepers, be woken up on many occasions during the night and in the early morning.

Does that really matter? Yes, according to several respected studies. New research from Warwick medical school, published in the *European Heart Journal* in February this year, studied the experiences of hundreds of thousands of people across eight countries. The study found that chronic lack of sleep produces in the body hormones and chemicals with a severe impact on health. It concluded:

> "If you sleep less than six hours per night and have disturbed sleep, you stand a 48% greater chance of developing or dying from heart disease and a 15% greater chance of developing or dying from a stroke."

Adam Afriyie (Windsor) (Con): My hon. Friend is making a powerful case for a review of the number of night flights. As a resident of Old Windsor, I must declare an interest—I am right underneath the flight path. On behalf of my constituents, I want to reinforce the point that only one noisy night flight is needed to ruin a night's sleep—it is not about average volumes or levels. One noisy flight can damage a night's sleep and induce those stress hormones.

Mary Macleod: Absolutely. I could not agree more. We want to legislate against that lack of sleep and disturbed sleep. The World Health Organisation and the HYENA—Hypertension and Exposure to Noise near Airports—report from Imperial College London also found that, even if people do not wake up, there is evidence that noise from night flights causes immediate increases in blood pressure.

The latest World Health Organisation guidelines suggest that night-time noise should be kept at no more than 55 dB to ensure no adverse effect on health, which is roughly equivalent to being in a noisy office—certainly my office, although that is because they work so hard. However, more than 20 miles from Heathrow, the noise of night flights can exceed 70 dB, which is roughly the equivalent of driving down a busy street with the window down. The effect is more pronounced given that the background noise level during the night is low. Ironically, this week, owing to the volcanic ash cloud, we might get some respite and peace because of flight cancellations.

Secondly, are night flights necessary? There are no scheduled take-offs between 11.30 pm and 6 am, and the first flight to Heathrow is scheduled to arrive at 4.30 am. Which planes, therefore, are flying to Heathrow during the night quota period, and where are the passengers travelling to and from? Are they really benefiting our local and our national economy?

Around a third of the passengers arriving on the very early flights to Heathrow transfer directly to other flights across the country and beyond, so the economic benefit to our economy of such flights might be limited to BAA and the airlines with which those passengers are flying. This year, a CE Delft report commissioned by HACAN concluded that a ban on night flights at Heathrow is likely to be beneficial to the economy, as the economic costs of the ban would be outweighed by the savings on the health costs of sleep disturbance and stress from night-flight noise.

A European Commission report in 2005 stated that airlines, when restricted on flying at night,

> "seem to be able to adapt their schedules and get over slot availability, congestion and connections and fly by day."

Can we conclude that night flights are operationally convenient for the aviation industry, but not essential?

In the consultation by the Department for Transport on future aviation strategy, it is recognised in the document that

> "night noise is the least acceptable impact of aircraft operations"

and that

> "it continues to be a major concern for local residents."

Night flights are not only an issue for UK airports such as Heathrow. No major airport in Europe has a night ban on flights, and many airports, such as Paris, Frankfurt and Madrid, have more night flights than Heathrow. However, rather more than an estimated half a million people are overflown by Heathrow night flights—more than any other place in Europe. Given the dense residential population around Heathrow, surely we should set the standards for other airports to follow, with our residents, businesses schools and community buildings benefiting from best practice in noise control and mitigation.

A report commissioned by Hounslow council from Bureau Veritas demonstrated that, far from leading the way, Heathrow's neighbouring residents, schools and community buildings receive a worse deal in funding for insulation against the noise of aircraft than people near many other airports in the UK, including Gatwick, Birmingham, Liverpool, East Midlands and London City. The most generous scheme internationally is at

Nice airport, which provides support for insulation for those impacted at the 55 dB and above. A similar scheme at Heathrow would stretch from Windsor in the west to Barnes in the east.

Thirdly, I have some issues for the Government to consider. Heathrow airport makes a significant contribution to the local and national economy, which is desperately needed now more than ever. However, the issue is the quality of life for people who live under Heathrow's flight paths. Their sleep is affected night after night, and their health and ultimately their life expectancy are impacted by noise. Illness caused by sleep deprivation hits business, and is also a major burden on the NHS, as taxpayers' money is used to care for them. Quality of life and health must be considered, and I urge the Minister to do so when preparing the night flights agreement for Heathrow airport.

Aircraft are becoming quieter, which is welcome and should be encouraged, but should be used to benefit our residents, not as a way of arguing for maintaining or increasing the number of night flights. We are used to conflict in the aviation industry, and I hope that the Government's future aviation strategy will be a first step in a more productive and professional relationship between Government, industry and other relevant groups.

How far can we go? First, in the short term, like my hon. Friend the Member for Ealing Central and Acton (Angie Bray), who has campaigned hard on the matter, I would like stronger enforcement of current quotas, especially for flights that come in early, before 6 am, from the Pacific rim—Hong Kong, Singapore, Johannesburg, Lagos and Kuala Lumpur. Secondly, if quotas are not adhered to, there should be more transparency and publication of which airlines continue to breach quotas, and higher fines for persistent offenders. Thirdly, in an ideal world, and like my hon. Friend the Member for Richmond Park (Zac Goldsmith), I would like a ban on night flights. However, I recognise the significant challenge of reducing flights between 6 am and 7 am, and I understand the resistance from business to changes during that period. I certainly do not want the debate on mixed-mode operations to be reopened. There will no doubt be consideration of operational efficiency at Heathrow, whether it is possible to reschedule those flights later in the day, and what impact that would have on Heathrow's competitiveness against other airports throughout Europe. Landing between 6 am and 7 am allows people time to go home, get ready for work, and be in the City at 9 am for a productive working day.

I would like a commitment from the Government significantly to reduce or eliminate scheduled night flights at Heathrow. I recognise that that may have to be achieved in stages, but we could put a mechanism in place now to assess feasibility, and set reduction targets more regularly. The final step is to fight for the very best noise mitigation for those who are worst affected.

Finally, night flights have a serious implication for the health and well-being of those who live under flight paths, which has an ongoing effect on spending on the national health service. We have an opportunity fundamentally to improve the quality of life of many thousands of people, and we must take that responsibility seriously. In the light of the recent evidence that I mentioned, I urge on the Government stronger enforcement of the current quotas, more transparency on breaches, and stronger fines for repeat offenders. They should consider carefully the issue of night flights as they prepare the 2012-17 night flight agreement for Heathrow; consider whether we can significantly reduce or eliminate scheduled night flights between 11.30 pm and 6 am; and encourage effective noise mitigation and insulation support from the BAA and the airlines. I believe that such action will allow us to create a really strong partnership between local residents, who will have enhanced quality of life and better health outcomes, and a world-leading aviation industry that we can all be proud of.

11.13 am

Adam Afriyie (Windsor) (Con): I want to say a few words to urge the Government to take action in a certain direction. As a long-time campaigner against the third runway and for a reduced number of night flights, I very much welcome the work by my right hon. Friend the Member for Chipping Barnet (Mrs Villiers) both as Minister of State and in opposition as shadow Minister to ensure that the third runway did not proceed. The policy approach and the way in which it was adopted were bold, courageous and elegant, and they reflect her status.

On night flights, I understand that a lot of work is being done to review, research and consider the evidence, and my hon. Friend the Member for Brentford and Isleworth (Mary Macleod) drew out two key issues. First, there is an impact on the economy around the airport and on the economy at large if thousands of people are struggling with health concerns because they are woken during the night.

Secondly, we should consider carefully whether night flights are necessary. There may be a commercial way of shifting flights in the early hours of the morning, between 4 am and 6 am, to a little later in the day. On behalf of Windsor, I urge the Government to consider the evidence carefully, and as a former shadow Minister for Science and Innovation, I am keen that that is done. If the Government have more bold and courageous policies in them, they should try to reduce those flights, not necessarily immediately, but over a period, because I suspect that any economic disbenefits would be overcome by the economic benefits for people who live and work around the airport.

11.16 am

The Minister of State, Department for Transport (Mrs Theresa Villiers): It is a pleasure to serve under your chairmanship today, Mr Hollobone. I congratulate my hon. Friend the Member for Brentford and Isleworth (Mary Macleod) on securing this debate on this important issue, on which she has campaigned so hard for so many years. I also congratulate her on a powerful and well-informed speech, and I welcome the contribution from my hon. Friend the Member for Windsor (Adam Afriyie), who is another steadfast campaigner on behalf of his constituents on noise issues generally and night noise in particular.

My last visit to Brentford and Isleworth ironically coincided with the day on which air space was shut because of last year's volcanic ash crisis, but I recollect my earlier visit to Grove Road primary school with Councillor Barbara Reid, who is another leading

[Mrs Theresa Villiers]

campaigner on these issues, which gave me a real and personal insight into the impact of aircraft noise in the constituency.

As my hon. Friend the Member for Brentford and Isleworth said, this is a timely debate, but I must acknowledge at the outset that we have a long and detailed process ahead of us before final decisions are made on the new system of controls on night flights at Heathrow. She will appreciate that there are some questions that I simply cannot answer now because that could prejudge the outcome of the consultation. However, the debate has provided valuable input into that decision-making process, and all the points that she and my hon. Friend the Member for Windsor made today will be carefully considered as part of the consultation process and in the run-up to the decisions.

I agree that night noise is widely viewed as one of the least acceptable impacts of aviation. My hon. Friend the Member for Brentford and Isleworth set out with clarity the quality-of-life concerns that many of her constituents have about night flights. I am aware that it remains a key concern for people under the flight path in areas such as the constituency of my hon. Friend the Member for Windsor. I assure my hon. Friends that the local impact of aviation on communities around airports and under flight paths is important for the coalition, and that is why one of our first decisions in Government was to scrap plans for a third runway at Heathrow, and to make it clear that we oppose new runways at Gatwick and Stansted. I thank them for their kind words about my role in that decision.

In September last year, I confirmed that there would be no revival of Labour's proposals on mixed mode. I also confirmed that the airport will start to use alternation when operating with easterly winds, which will ensure a fairer distribution of aircraft noise around the airport. As has been said today, we recently published a scoping document kicking off the debate on how to deliver a sustainable future for aviation, which harnesses the economic benefits that my hon. Friends mentioned in relation to Heathrow and aviation generally, but does so in a way that also addresses the environmental impact of aviation, including its noise.

There have been controls on night flights at Heathrow for many years, with limits on movement and noise quotas to restrict the level of noise emitted. Restrictions prevent the noisiest aircraft from landing at night, and Heathrow operates a policy of runway alternation overnight to give residents a degree of predictability on flight paths and some respite periods. Even with those restrictions, however, I appreciate that night noise continues to be a key concern for local communities, as my hon. Friends have made clear this morning.

As has been pointed out, current protections are time limited, and in the coming months the Government will need to make a decision on the regime that will replace the existing controls when they expire in October 2012. That provides an opportunity to take a fresh look at the issue and explore the scope for a more effective night noise regime. The scoping document already mentioned began an extensive process of public engagement that will ultimately culminate in a decision about a new set of rules and controls for night flights over Heathrow. During that process, we will seek evidence on how best to balance the economic benefits of night flights against the social and environmental costs that they undoubtedly impose on communities that lie under the flight path. We want to hear from the widest possible range of stakeholders about how the current arrangements are working and what elements people would like to see changed, and I welcome the comments made this morning by my hon. Friends on that issue.

My hon. Friend the Member for Brentford and Isleworth referred to the recent HACAN report, which suggested that a ban on night flights at Heathrow would produce a net benefit to the economy. I recently met John Stewart from HACAN to discuss that report, and my officials will give it proper consideration alongside other representations that we receive on night noise. Such representations will help inform the debate on policy development, and we must analyse evidence on the social impact of night flights, and the health issues mentioned by my hon. Friend.

One important issue for consideration is whether it is possible to deliver a more extended period of respite from night noise. I recognise that flights that arrive between 4.30 am and 6 am tend to be the most controversial, and we need to analyse carefully any evidence on the potential benefits that are derived from such early morning arrivals, and properly explore the operational scope for change.

My hon. Friend mentioned her concerns about enforcement, and when we look at the shape of the new regime we will certainly consider arrangements for its administration, transparency and enforcement. Transparency can be a real help in such situations, and give communities that are affected by all types of noise from Heathrow the confidence that rules are being complied with. Aircraft that breach departure noise limits are fined by the airport, and the revenue is used to finance local community projects. It is important that appropriate steps are taken to ensure that the current regime is properly enforced.

Mary Macleod: Does the Minister think that it might be worth looking into the levels of the fines imposed? They need to be a real deterrent or else airlines will keep breaching the existing noise limits.

Mrs Villiers: My hon. Friend makes a good point. That issue should be included when considering the new regime, and the airport is already looking at that matter in relation to current arrangements. There may well be a case for change.

My hon. Friend made an important point about the importance of mitigation and insulation as a fall-back method for dealing with the problems of noise. BAA has recently launched a local consultation on noise mitigation schemes, which could potentially broaden the scope of the existing schemes. It is important that my hon. Friend takes part in that consultation, and I will ensure that BAA is given a copy of this debate in *Hansard* so that it is made aware of the concerns felt by my hon. Friend's constituents, and their desire to see a stronger and more effective regime in terms of insulation and mitigation.

Another issue for consideration is how we create the right conditions and incentives for airlines to deliver technological improvements that will support the policy goals we wish to achieve. As I have said, the current regime already bans the noisiest planes, and UK technology and know-how plays a major role in making commercial airliners quieter and more fuel efficient. Developments such as the A380 and the Boeing 787 Dreamliner also help to mitigate the effects of noise. As well as encouraging the aviation industry to reduce noise by improving aircraft technology, the Government are working with the International Civil Aviation Organisation to seek improvements in air navigation and airspace management in order to deliver quieter approaches and climbs.

Having obtained and considered responses on the broad themes regarding night noise that are included in the scoping document, we will then develop more detailed proposals for a new night noise regime. We plan to issue a consultation document on that next spring. Carrying out that process in the most effective way possible may require a limited roll-over of the existing regime. We have not made a final decision on that, but if we decide to run the current regime beyond its expected termination date of October 2012, we will need to consider whether to use temporary movement and quota limits to maintain the trend in progressive noise reduction required under the existing regime.

My hon. Friend referred to noise action plans, which are a requirement set out in the EU environmental noise directive. Seventeen major airports have been asked to produce such plans and noise maps, and we are in the final stages of considering whether draft plans submitted by Heathrow, Gatwick, Stansted, Manchester, Birmingham and East Midlands airports meet the requirements of the directive. The directive does not require a complete reassessment of airport noise policy, but the plans have been a useful exercise and have prompted airports to reassess their approach and strengthen existing measures. Such plans will, I hope, be an important tool in maintaining the pressure on airports to take action on the issues of noise, insulation and enforcement mentioned by my hon. Friend.

The plans that emerge from that process should be seen as a starting point rather than an end conclusion. They should be treated as living documents and serve as a driver of good practice and help improve performance on local noise management and mitigation. As such, they should be subject to regular review and be adaptable to changing circumstances, including the new night noise regime.

I conclude by restating the Government's commitment to addressing the local environmental impacts of aviation, and state that we acknowledge the concerns that local communities have about night flights. We now wish to move forward to develop a better night flights regime, and explore the scope for change. It is important that we engage fully with all interests and understand all the differing views, and today's debate has provided a valuable opportunity to bring this important subject before the House and highlight some of the key issues.

Although I cannot give my hon. Friend all the answers she needs, I view this as one of the most important issues that I will face as a Minister. I have listened with care to all the points she raised, and I will continue to listen as the debate unfolds over the months to come. I urge her, together with my hon. Friend the Member for Windsor and their respective constituents, to take part in the consultation process on which we have recently embarked. I am confident that broad engagement from my hon. Friends and their constituents will strengthen and improve the eventual outcome of this important matter.

11.29 am

Sitting suspended.

Treatment of Christians

[MR JOE BENTON *in the Chair*]

2.30 pm

David Simpson (Upper Bann) (DUP): It is a privilege to introduce the debate under your chairmanship, Mr Benton, and I thank other hon. Members for attending. I acknowledge that this is a wide-ranging subject. The issues that it raises could not be fully incorporated in a single debate, but given where we are meeting and where we as a nation are in our collective history and given the current complexion of our national politics and some of the international happenings that surround us, it is a subject to which we would do well to turn our attention.

Today, I want to consider two issues: the violent persecution of Christians internationally and restrictions on or the denial of civil and religious liberties for Christians in some parts of the world. Let me begin by making it clear that I am not blind to the abuses or atrocities that have been perpetrated by individuals who took to themselves the name "Christian" or by the professing Christian Church down the ages. However, it is not true, as some assert, that religion has been the one great persecutor in human history, for we should never forget Lenin and his use of slavery, the war that he waged against his own poor, the famine that that created, which left 30 million people facing starvation and death, and his slaughter of people of religion. Nor should we forget Stalin and his labour camps and the culling of the disabled—his Russian holocaust with victims numbered in the tens of millions and human beings regarded only as commodities to be exploited and expended in the interests of the state. We should not forget the repression of religion, including so-called accidental assassination carried out against people of faith.

There is also Chairman Mao, with an estimated 40 million victims—a figure that combines the outcome of his policies and the many millions deliberately killed. We could consider Pol Pot and those who were responsible for the killing fields and the deaths of between 25% and 30% of the entire population of Cambodia. Could we forget the many victims in Romania, where it was forbidden even to own a simple typewriter? I could also mention the East German experience and that of Poland and Albania under the rule of atheists. To that I could add the innumerable atrocities perpetrated by atheist authorities in central and south America, Africa and the far east.

It is not true, as some try to allege, that above all other things, religion is the great persecutor and the cause, source and substance of all the world's great woes, for when atheism has been anointed as the faith of the state, to that, too, we can trace all kinds of brutality, inhumanity, violence and death. However, although that is undoubtedly the case, no one could deny that religion has played a grim role in far too many of the world's sorrows or that those who profess faith in Jesus Christ have been the guilty party far too often, so I am not blind to the horrors of the crusades or the fires of the Inquisition. In this week when we look back on the visit of Her Majesty the Queen to the Republic of Ireland, I am not blind to the role played by professing Christianity in the darker episodes of Irish history, from the day when Pope Adrian donated Ireland to Henry II right down to present-day scandals involving the evil of child abuse. I make that very clear at the outset.

I do believe, however, that we need to turn our attention to the troubles and tribulations faced by Christians across the world today. This is the subject of the debate. There is violent persecution of Christians across the world. There are numerous areas of great concern. In the short time available to me, I cannot go through all the individual countries or list every example. I will just draw hon. Members' attention to some particular cases.

In parts of Africa, Christians face intense, violent persecution. Nigeria continues to witness wave upon wave of violence directed against Christians. Hundreds of Christians have been killed in the aftermath of the election. Massive simultaneous attacks against Christians were launched in almost every northern state. Mobs massacred hundreds of Christians, burned more than 300 churches and destroyed countless Christian homes. It has been estimated that in Kaduna state alone, at least 300 people were slaughtered. Nigerian Government authorities were in such a hurry to hide the extent of the massacre that they organised mass burials of the victims almost immediately after the attacks. As a result, the exact death toll remains unknown.

Just this month, Muslim attackers reportedly killed 17 Christians, including the wife and three children of a pastor in northern Nigeria. Several Christian homes were burned in the village of Kurum. Among the victims in Nigeria are indigenous missionaries, pastors and leaders. Last year, more than 2,000 Christians were killed in targeted Nigerian violence.

Thousands of Christians are fleeing violence in western parts of Ethiopia. Muslim extremists killed several Christians and burned dozens of churches. Some 55 churches and dozens of homes are reported to have been burned in recent days near the city of Jimma, in the western Oromia region.

In Somalia, the radical organisation al-Shabaab has led the way in killing Christians, especially those who have converted from Islam. In Sudan, Christians have endured long decades of violence. In a recent debate in the other place, the Bishop of Bath and Wells said the following regarding Zimbabwe:

> "The Anglican Church in Zimbabwe is undergoing a sustained and brutal persecution with its origins in a dispute over church properties and the non re-election of Dr. Kunonga, the former Bishop of Harare and someone widely regarded as a plant of the Mugabe regime...This is something that I have witnessed, all too painfully, for myself in a number of places."—[*Official Report, House of Lords*, 10 March 2011; Vol. 725, c. 1809.]

When we turn to Asia, we find that Pakistan's notorious blasphemy laws have been used as a cover to justify violent attacks. The President of India recently expressed her shock at the upsurge in violent persecution of Christians, especially in states such as Karnataka and Orissa. Christians in Karnataka have suffered serious violent attacks since 2008, including physical attacks on individuals and places of worship.

The sufferings of Christians in Orissa state are long standing and are truly horrendous. They include murder, kidnapping, forced marriage, the burning of churches and the forced removal of people from their homes, with about 18,000 people being injured, and 6,000 houses and 296 churches and smaller places of Christian worship in some 400 villages being burned. More than 56,000 people were displaced and more than 10,000 have yet to return home; and 1,000 have been warned that they can come back only if they convert to Hinduism.

To that could be added the long enduring plight of Christians in China, Burma, North Korea and Vietnam, where death is common and suffering is intense. In the middle east, there are numerous and disturbing examples that can easily be assessed.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate my hon. Friend on securing this debate. Before he moves on from the middle east, will he join me in noting that a couple of months ago *The Independent* drew a dramatic picture of the demographic decline that has resulted in the almost total elimination of non-Muslim groups in many countries in the middle east? Hopefully, we will see some recognition of that with international action to stem it, and the promotion of inclusivity rather than expelling people on religious grounds.

David Simpson: I thank my hon. Friend for that intervention. He is 100% right; I shall deal with the matter later in my speech.

Mr Edward Leigh (Gainsborough) (Con): The hon. Gentleman mentioned Pakistan. I know the Government have said that their influence is limited—we condemn all this but we are limited in what we can do—but we are extraordinarily influential. We were very influential in Iraq: we invaded it, and the plight of Christians has become much worse since. We are extremely influential in Pakistan, where we are a major donor. The Government therefore have a lot of clout, particularly with regard to the blasphemy laws, to ensure that Christians are treated fairly.

David Simpson: I thank the hon. Gentleman for his intervention. He is absolutely right. Again, I shall deal with that later.

Although the Orthodox Church in Iran faces discrimination, Protestant Churches face severe persecution and are regarded as enemies of the state. Throughout 2010 and 2011, dozens of Protestant believers were prosecuted for no reason other than practising their faith. Protestant groups in Iran are often formed of converts, who actively seek to make more converts. That has brought down upon them a particular form of state opposition; they are targeted and tried under political charges, and are treated as politically subversive.

Since the collapse of the Saddam Hussein regime, more than half of Iraq's Christian population has, as a result of violent suppression, been forced to flee their homes or else flee the country altogether. In 1991, the professing Christian population totalled some 850,000. By 2003, that had fallen to just over 500,000. Today it is reckoned to have fallen to fewer than 250,000 individuals. That should surprise no one, given that there have been beheadings and even crucifixions. In the old Soviet bloc countries—from Russia itself through to Belarus—violence, prosecution and imprisonment are common.

I now turn to restrictions on, or the denial of, civil and religious liberties for Christians. Again, we can see this in many parts of the world. I shall cite a few examples, for I know that others want to contribute to the debate. Pakistan's notorious blasphemy laws are used deliberately to settle personal disputes or disputes over land, or to carry out personal vendettas. However, they are also used to ensnare Christians into expressing any kind of criticism of Mohammed or the Koran, and thus to enable the bringing of charges. In the middle east, religious liberty is limited. In places like Kuwait, Syria, Yemen and Saudi Arabia, evangelism is prohibited and conversion is not allowed. In Saudi Arabia, expatriate Christians are supposed to be allowed to worship privately, but many are still prosecuted for doing so.

On the wider question of the denial of religious freedom, the United States Commission on International Religious Freedom identifies a number of countries of particular concern. They are Burma, China, Egypt, Iran, Iraq, Nigeria, North Korea, Pakistan, Saudi Arabia, Sudan, Vietnam and a number of others. It also lists what it calls watch list countries. These include Afghanistan, Belarus, Cuba, India, Indonesia, Laos, Turkey, Venezuela and Russia.

We must also acknowledge the inherent dangers that accompany what has come to be called the Arab spring. Right across the countries affected, groups are emerging that seek to exploit recent developments in order to establish a purist society in which the plight of other religious groups will be made worse. Indeed, Members will doubtless have read reports this week of the concerns expressed by pro-democracy elements in Tunisia and Egypt—that if the G8 fails to give financial assistance to strengthen the democratic cause in those countries, it could sound the death knell for democratic hopes in the region, thereby strengthening repressive regimes and providing a boost for radical movements that would seek to legislate away whatever minimal freedoms remain.

Although the current situation for Christians in many middle east countries is difficult, it could become increasingly dangerous in the coming months and years. What I have outlined represents a record of blood, a trail of suffering and a denial of basic humanity to many tens of thousands of people. We, as a Parliament and a nation, should not be like the priest and the Levite in the parable of the Good Samaritan and simply pass by on the other side. Many of these nations are important trading partners. Some are in receipt of aid. Still others are members of the Commonwealth.

Mr David Burrowes (Enfield, Southgate) (Con): I congratulate the hon. Gentleman on securing this important debate. He has outlined the extent of persecution, and I understand that three quarters of all persecution across the world is directed at Christians. We must condemn that, and seek to do something about it, but what about the modern-day form of persecution? He mentioned a number of countries, particularly Pakistan. Does he agree that it is the rise of Islamist threats there, and the Islamist Governments of other countries, that are causing or contributing to that persecution? Indeed, we have particular concerns about education in Pakistan—that hate education fomented by Islamist opinion is causing many of these problems. The Government should be held to account for the financial aid that they provide for education, given where it is actually going.

David Simpson: I thank the hon. Gentleman for his intervention. The rise of Islam is strong in those areas, which is a particular problem. Indeed, as I outlined earlier, in years to come we will see more persecution of

[David Simpson]

Christians in those countries. We may not even have to go to other countries to see Christian persecution, but simply look to our own back door.

I diverge slightly, but the hon. Gentleman has raised the matter. In the United Kingdom, the policy seems to be that people can do whatever they like against Christianity—criticise it or blaspheme the name of Christ—as long as they do not insult Islam. It is sad because this country is based on civil and religious liberty for all. When Queen Victoria was on the throne, the secret behind England's greatness was its open scriptures and open bible. Today, that policy is being hammered into the ground, and that concerns me greatly for the years and months that lie ahead.

As a Parliament and as a nation, I do not believe that we should be like the Levite and pass by on the other side. There is no doubt that many of these nations are important trading partners. Some are in receipt of aid, and others are members of the Commonwealth. It is clear that silence should not be our response. I am not advocating that we intervene directly in such countries, but we can and should apply diplomatic and political pressure on Pakistan and other countries, as the hon. Member for Enfield, Southgate (Mr Burrowes) suggested. We should use as much influence as possible and apply pressure either individually or through organisations such as NATO, the EU and the United Nations. We could be far more proactive in the whole of this regard than we have been thus far. I am not saying that we have done nothing to help out, but we could do a lot more.

Recently, the MEP Peter van Dalen urged the EU to make more rights for the Egyptian Coptic community a policy priority and to develop a strategy for religious freedom. Mr van Dalen pointed out that more concrete European action is needed as the position of Christians worsens across the world. He correctly pointed out the "new big threat" towards Christians in the middle east, drawing attention to a structural neglect of, and discrimination against, Christians in several countries.

In conclusion, I urge the Government not simply to chase the financial bottom line in our dealings with neighbours and partners. As one of the great economies of the world and one of the beacons of democratic freedom, we have a duty to use all of our influence to help those who suffer injustice around the world. There is a rising tide of affliction that is swelling around Christians across the world. This nation and this Parliament should be more to the fore in the campaign against that and for civil and religious liberty. I urge the Government and all hon. Members to rise to that challenge.

2.53 pm

Tony Baldry (Banbury) (Con): The hon. Member for Upper Bann (David Simpson) has done the House a considerable service in initiating this afternoon's debate. It is depressing that, in the 21st century, when the world is, in some ways, getting smaller, intolerance of other faiths and beliefs is growing in all too many parts of the world.

The best means for ensuring the fair treatment of Christians internationally is through the strong advocacy of the right to freedom of religion or belief for people of all faiths, as outlined in article 18 of the universal declaration of human rights and article 18 of the international covenant on civil and political rights. Although the UDHR is non-binding on UN member states, it contains significant moral and normative force. The international covenant is legally binding on those member states that have ratified the treaty.

Freedom of religion or belief should be viewed as not some peripheral right, but a right that is central to the identity and well-being of all people. Looking around the Chamber this afternoon, I see hon. Members with views and faiths that are fundamental to their identity as individuals. The coalition Government should be complimented on raising the profile of freedom of religion and belief, as evidenced in the most recent human rights report of the Foreign and Commonwealth Office, for which my hon. Friend the Minister is responsible.

The hon. Member for Upper Bann was entirely right to say that the British Government should set out clear benchmarks for progress on religious freedom issues in bilateral and multilateral dialogue with other states. Pakistan will soon be the largest recipient of UK bilateral development aid, which legitimately gives us some leverage in our dealings with it. We should continue to make representations in the strongest and most forceful way about the impact that its blasphemy law is having on its people.

Many of us were present at St Margaret's, Westminster, for the memorial service for Shahbaz Bhatti, who was assassinated in Pakistan for being a Christian. Sadly, his death is symptomatic of the growing divisions in Pakistan as well as symbolic of the silence of those in Pakistan seeking to confront forces of extremism.

There are many ways in which the UK Government can exert pressure on countries in which religious tolerance and religious freedom are being ignored. Perhaps the most strategically concerning issue at the moment is the situation facing religious minorities in north Africa and the middle east, given the current phase of various uprisings and revolutions. Egypt is particularly crucial because a significant minority are Christians—Copts and Catholics.

There have been an increasing number of attacks on religious minorities in Egypt, particularly on the Coptic community. The most recent incident to gain widespread attention was the attack on 7 May on two churches in Cairo. One was gutted following false allegations that it was forcibly detaining a female convert to Islam.

What is rather sad is that such events took place after the events in Egypt and the Arab spring when so many people were full of hope and optimism. The President-Bishop of the Episcopal Church in Jerusalem and the Middle East, the Most Reverend Mouneer Anis, observed:

> "The fear now is that the revolution is being kidnapped by these extremist groups, and there is a lot of effort being made by more democratically minded Muslims and Christians to rescue the revolution."

That is absolutely correct. What has also been impressive is the extent to which many Christians and Muslims are still trying to protect minorities in Egypt. Despite the recent violence, efforts to promote sectarian tolerance continue. Indeed, several thousand Copts and Muslims recently held a joint march through Imbaba in Cairo to denounce the burning of the churches.

Nevertheless, the scenes that one has witnessed or read about are horrific. I was particularly struck by reports that a guard—I suppose that here we would describe him as a sexton—at St Mary's church in Cairo had refused to denounce Jesus Christ and his own Christianity and that, as a consequence, his throat was cut. He was a man who was just doing his job but he was confronted and attacked. That is intolerable.

Only last weekend, up to 80 people were injured in Cairo when a group of Copts demonstrated outside the state television building. They were simply calling for more effective police protection for Christians and their property in the aftermath of the clashes in the Imbaba district, in which 15 people were killed and two churches were set on fire.

In the coming days of the Whitsun recess for Parliament, I am going to Cairo. I will meet Christian friends—both Catholics and Copts. Not only are they going through the turmoil of what is happening with inter-faith challenges in Egypt, but they are going through the political turmoil in the country. They wonder where they fit into that situation.

As the hon. Member for Upper Bann said, it is not only Egypt that is affected. The tragedy is that Christianity in the middle east is on the slide. Indeed, it is not just sliding into obscurity; it is almost in danger of being extinguished in many countries, such as Iran and Iraq. About 50 years ago, this was a part of the world where Jews, Muslims and Christians lived side by side. Now, for various reasons, it is extremely difficult for Christians to profess their faith in many middle east countries.

As the hon. Gentleman said, part of that process is about the rise of Islamic fundamentalism, which is also on the rise in Nigeria and other parts of Africa. Some of the stories—indeed, some of the facts—about what is happening in northern Nigeria, a leading Commonwealth country and another significant recipient of UK development assistance, are frightening. A system of religious repression is developing in parts of northern and central Nigeria and effectively there has been imposition of sharia law in those areas.

For example, there are parts of northern Nigeria where non-Muslim subsistence farmers are being subjected to an extreme form of usury that is known locally as bada kaka. Under that system, those non-Muslim farmers are obliged to pay for every bag of fertiliser that they buy from Muslim traders with two bags of goods that have been harvested and that fee doubles if they default on repayments. Ultimately, those who are unable to pay off such loans risk being deprived of their land, their possessions and, in a few extreme cases, their children, following a sharia court ruling. Those are things that we do not tend to hear about when we are debating international development and other related matters in this House, but they should have a far higher profile.

There are other parts of the world where Christians seem to be under considerable pressure. In countries such as India, there is an increase in nationalism. As a result, the position of Christians in India is being made increasingly difficult. In a number of communist or quasi-communist states, such as China or North Korea, life is incredibly difficult for Christians.

All the rights set out in the universal declaration of human rights are very important. However, I am concerned that the world is allowing there to be a creeping acceptance that religious intolerance is to be tolerated, or at least not challenged. There comes a time when we all have to ask ourselves, "To what extent can the tolerant tolerate the intolerant?" There comes a point where increasingly we have to challenge some countries in the world about what they are doing to defend their minorities and people who may have belief systems that are different from those of most of their citizens.

Mr Gregory Campbell: The hon. Gentleman is touching on a very important point. It is not only in other countries but here in the United Kingdom that these types of things are happening. Does he agree that some of the issues that the far right in the United Kingdom thrive on are exactly the issues that we are talking about today? The far right in the United Kingdom feed on the paranoia of some communities that anyone coming into the United Kingdom from any of the nations that we have discussed today is to be abhorred and treated with contempt and disdain. We will see in our society the seed bed of problems for the future if we do not deal with these issues internally in the United Kingdom as well as in other countries.

Tony Baldry: The hon. Gentleman makes a very good point. I go back to what I said at the beginning of my speech, that it is generally depressing that here we are at the start of the 21st century and we are actually going backwards in this regard. I hope that all of us—in our family lives, in our communities and in the constituencies that we represent—will seek to inculcate an atmosphere in which there is a built-in mutual tolerance and mutual respect of other people's beliefs. I am more than willing to walk hand in hand with people of other faiths or people of no faith at all in the journey of life, provided that I tolerate their views and beliefs and they tolerate mine. That is fundamentally important.

I think that what we are saying this afternoon is nothing more than that. I do not think that it can be said in any of the countries where Christians are under pressure that Christians are seeking to challenge or overthrow the existing norms or established customs of those countries. They are being persecuted simply because they are Christians and in the 21st century that is wholly unacceptable.

3.7 pm

Jim Shannon (Strangford) (DUP): May I apologise to everyone for not being in Westminster Hall at the very beginning of this debate, as I was attending the debate on financial assistance for the eurozone in the main Chamber? I thank Mr Deputy Speaker for allowing me to exit that debate early before going back later—I think that that was the way in which he put it to me.

I congratulate my hon. Friend the Member for Upper Bann (David Simpson) on securing this debate on a topic in which I am particularly interested and which needs to be highlighted. My hon. Friend and indeed other contributors have spoken eloquently. The Palace of Westminster, where laws are made, is certainly the right venue for this type of discussion and the importance of this subject cannot be denied.

I am very conscious of a particular verse from the Bible:

> "In the world you will have tribulation; but be of good cheer, I have overcome the world."

That is from John, chapter 16, verse 33. It gives many Christians in this world the strength to face daily something that we cannot imagine for one second—persecution. Hon. Members have spoken about that persecution very clearly today.

[Jim Shannon]

The horror stories are numerous. There is a tendency almost to become desensitised to the plight of others, but that must not happen. It is important for us all to remember those people who are persecuted and to help them, both practically and prayerfully. We must listen, be stirred by what we have heard, then do all we can to help.

The website, Persecution.com, says:

> "Around the world, and especially in Africa and Asia, Christian populations are suffering severe discrimination and brutal attacks. Thousands are being killed. Systematic campaigns are being waged against Christians simply because of their faith, and it is not too dramatic to suggest that these are forms of ethnic cleansing and genocide."

I believe that that is exactly what they are. The website continues:

> "Yet there is little awareness of these continuing atrocities in the West, and even less response.
>
> Christianity is no longer a predominantly Western religion. Since 1900, there has been a startling growth of Christianity in Latin America, Africa and Asia, to the point that now, 65 percent of the world's 2 billion Christians live on one of those three continents. Christians now constitute the largest single religious group in Africa. Close to 350 million Christians live in Asia."

Clearly, the Church is growing, but as it does, persecution grows with it.

If we go over a map of the world, we see that persecution is rife in many countries. It has been said that the blood of the martyrs is the seat of the Church, and that certainly applies to the Church in China, where churches have flourished despite opposition and years of underground worship. Although the Chinese Government now allow churches in homes, they are strictly regulated, and I recently read that the Chinese Government had enacted new regulations in a further attempt to control the growing Christian population.

According to some sources, pastors at some of China's house churches face new reporting regulations. They must provide police with weekly reports detailing their whereabouts and how many people attend church meetings. If pastors leave a city, they must report their travel plans, and they are restricted to short trips. Clearly, persecution continues. The Chinese Government do not want the Church to grow any more than it has done, because they know that it has been growing in great leaps and bounds, and from the Chinese point of view, it is important that it is controlled.

If pastors fail to report, they are arrested. Churches must also organise under a specific name and advertise and meet publicly. That is hard to deal with, but the Church in China grows every week. The question is what we can do, and perhaps the Minister can enlighten us about what the Government are doing. We must ensure that our foreign ambassadors continue to exert pressure so that the Chinese Church has true religious freedom. We should raise the issue of religious persecution in all the churches we help with our aid across the world.

Christians in India continue to face systematic persecution at the hands of radical Hindus. Indeed, a couple of years ago, my hon. Friends the Members for Upper Bann and for East Londonderry (Mr Campbell) and I spoke in a Northern Ireland Assembly debate about Christians in Orissa. Some Christians in India were doing some films outdoors, when extremists beat up the pastor and his son. The police arrested them and kept them in custody until the early hours of the morning. No police complaint was filed.

As the hon. Member for Banbury (Tony Baldry) said, extremists seem to be very active in other parts of India, and they are not averse to dealing out physical abuse to Christians. A Christian professor's hands were cut off after he was accused of blasphemy. In some countries, people do not actually have to commit blasphemy; they just have to be accused of it, and the story grows legs. Retribution then takes place.

In Nigeria, as the hon. Member for Banbury made clear, deadly religious violence occurs with regularity, with the result that hundreds of people are killed at a time. In the early hours of 7 March 2010, 500 Christians, most of whom were women and children, were murdered in their beds. That was not the end of it, however, and the village raids continued. On 17 March, another 12 Christians were massacred, including a pregnant woman, in a village in Plateau state. Other atrocities were also carried out against Christians. Thirteen Christians were murdered by a Muslim mob in Bei on 13 April and seven were murdered in Rikwe Chengu on 2 December.

Little information escapes North Korea's borders, but the information that does indicates that Christians suffer harsher penalties than most criminals. An estimated 100,000 Christians are thought to be in labour camps, where they are being worked to death.

Our Government give substantial aid each and every year to Pakistan, where religious violence and anti-blasphemy laws are used to suppress Christians, and prominent Christian politicians and their defenders are clearly assassinated. Pakistan's blasphemy laws authorise Government and societal persecution of Christians. Indeed, Pakistan absolutely refuses to progress towards being a religiously free society. According to Pakistani law, blasphemy against the name of Mohammed is a crime punishable by death, and desecrating the Koran warrants life imprisonment. Again, Christians do not actually have to do those things; they just have to be accused, and the retribution comes right away. Several Christians were killed in 2010 as a direct consequence of such laws, and many more people been imprisoned.

I am conscious of the time, so I will conclude shortly. I subscribe to a number of organisations that deal with these issues, as I am sure other Members here do, and Open Doors and Release International are two examples. Persecution is rife in many countries, and we should be grateful for our religious freedom in this country, but it cannot be taken for granted. Let me leave Members with an example of something that happened in our free, democratic and open country. A doctor who discussed with a patient the fact that Jesus helped him was reported to the General Medical Council. That is an indication of the fact that we in the United Kingdom must also make every effort to protect our freedom.

Again, I congratulate my hon. Friend the Member for Upper Bann on introducing the debate. The call that now goes out to everyone inside and outside this Room, as well as to everyone who reads the report of our proceedings, is this: what will we do about this?

3.15 pm

Robert Halfon (Harlow) (Con): It is an honour to take part in the debate and I congratulate the hon. Member for Upper Bann (David Simpson). Although we are on opposite sides of the Chamber, I agreed with much of what he said on numerous policy areas. I also congratulate my hon. Friend the Member for Banbury (Tony Baldry), who is an outstanding representative of the Church in the House of Commons and who has been of enormous help to me in my constituency over a Church issue. Equally, I congratulate the hon. Member for Strangford (Jim Shannon) on his excellent speech.

Wherever there is tyranny and oppression in the world, the persecution of religious groups is never far behind. That is why this debate is important. We are always focused on persecution, but because Christianity is a mainstream western religion, its members do not always get the same attention as other minorities, as the hon. Member for Upper Bann highlighted. Outside the western world, however, Christians face a constant barrage of murder, imprisonment and persecution.

I have heard the Secretary of State for Education say that we can judge a country by how it treats its Jews, and the more democratic a country, the more equally the Jewish people are treated. The same goes for Christians in the developing world. I am here, not as a Christian, but as a Jewish person. However, because of what happened to many members of the Jewish people, it is my duty as a politician to help other peoples who suffer genocide and persecution. It gives me enormous pleasure to be standing next to my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), who is a former school friend. He attended many Friday nights at my house, just as I attended many Church services with him and learned about Christianity as we grew up.

We have talked a little about China. Six weeks ago, 100 peaceful members of the Shouwang Catholic church were arrested by the People's Republic just for holding an outdoor service. In Uzbekistan, armed officers from the Government's national security service raided the home of a Christian pastor and confiscated 250 Bibles. A few days later, he was convicted of illegally owning Bibles, organising Christian worship and preaching the gospel. He was fined more than 80 times the minimum monthly wage. We have also heard about Nigeria, where a church was burned to the ground. I could mention other nations, such as Sri Lanka, which has a particularly evil Government; indeed, I attended a memorial service for the Tamils last week in Trafalgar square. Sri Lanka has a tough anti-conversion law, and people there are not allowed to convert others to Christianity.

The tragedy of such stories is not how isolated they are, but how common they are. Nowhere is that truer than in the middle east. I am a senior officer of the all-party group on the Kurdistan region in Iraq. Earlier in the year, I went to Kurdistan, and I am going back there for three days next week. The all-party group's latest report on Kurdistan, which I helped to publish in March, states:

> "Iraq's Christians once numbered about 1.5 million. There are now just 850,000. Many families have fled to Kurdistan from Baghdad, Mosul and other areas, according to the United Nations refugee agency. The Kurds know much themselves about being a persecuted minority and have opened Kurdistan to Christians fleeing from the rest of Iraq. For example, their universities have offered free places to Christians fleeing Mosul."

I met many Christians in Kurdistan. It has become a progressive Muslim nation that has provided sanctuary for Christians in Iraq who are being treated brutally. That was confirmed to me by the Archbishop of Erbil and the other Christians I met, and I hope to meet some more next week.

Kurdistan is one of the beacons of hope in a troubled region, but it is doing what it can with limited resources. I urge the Government to do more to support Kurdistan because of how it has offered sanctuary to Christians from Iraq.

Mr Burrowes: I appreciate my hon. Friend's contribution to this important debate. Is it not a tragedy that Christians are fleeing for sanctuary from an area where they have historically had a presence? They do not simply want an enclave to practise their religion, but want to express it freely, which has historically involved being part of a community, for example, in Pakistan where Christian schools have Jewish, Hindu and Muslim pupils. There are shafts of light, for example, in Baghdad, where fantastic vicars such as Andrew White do what they can to open their church to all communities and to support them, despite war, repression and fear.

Robert Halfon: My hon. Friend is right. Why should Christians have to flee from one part of Iraq to another for safe haven, when they should be able to practise their religion wherever they are?

In Gaza, there were lots of reports of Christians disappearing or being shot dead if they were caught trying to preach the gospel. Although Hamas officially condemns the attacks, it very rarely makes arrests. During the elections a few years ago, Hamas forces were linked with an attack on the Catholic Rosary Sisters' school and church, which were assaulted with rocket-propelled grenades and then burnt down. The ancient seafront of Gaza once had a thriving Christian community, but that community has now shrunk to 2,500 people.

Britain has a stake not only in the economic wealth of our neighbours, but in their freedom and self-determination. The question before us is, what role will Britain play before this story unfolds? Psalm 102 encourages us to

> "hear the groaning of the prisoner, and set free those who are condemned to death."

I am sure that hon. Members present will not mind me quoting the Old Testament as opposed to the New. I accept that the Prime Minister confronted human rights issues with the Chinese authorities during the trade mission to China last year and I am glad that the Foreign Secretary has continued to uphold the export restrictions that prevent lethal weapons being sold to China, but the problem is not just about selling guns. Britain and its NATO allies have an array of soft powers that they could use to bargain with states that are dependent on western imports. One key factor in the fall of Soviet communism was not the atom bomb or the space race, but the fact that Ronald Reagan refused to export wheat to Russia. That is a lesson for us today, as we confront the persecution of Christians and religious minorities around the world.

Intolerance towards religious minorities does not happen by itself, but is propagated by vested interests and evil regimes. In the middle east, the worst examples of that are Iran and Saudi Arabia. In the face of rising commodity prices and recession, many despotic Governments have tried to deflect their country's grievances. That lies behind much of the extremist propaganda against the Christian west and the antagonism towards Israel in Arab League countries, but we have an opportunity to

[Robert Halfon]

demand change. Saudi Arabia is apparently our ally and it depends on western imports, but it is also a despotism in which honour killing is legal, homosexuality is punishable by death and Wahhabist textbooks in state schools preach hatred of Christians, Jews and other religious minorities. As was recently reported in the papers, women are not even allowed to drive cars.

From Ethiopia to Indonesia, Saudi Arabia's oil money is fuelling the persecution of Christians and other minorities, and the destruction of their property. Only last Wednesday, Christians protested outside the US Saudi embassy, demanding that Saudi Arabia stop financing radical Islamists, including the Salafis, who have been largely responsible for attacks on Christians in Egypt. Surely we can do more to ask the Saudis to give their people the freedom and security for which they are crying out? In the 1970s, Saudi Arabia produced more than 4 megatonnes of wheat a year—more than enough to be self-sufficient—but now it has exhausted its water supply and by 2016 it could produce no wheat at all. Nearly 50% of all Saudi Arabia's imports—primarily, machines, cars, textiles, chemicals and foodstuffs—now come from the US, the EU and close allies, such as Japan and South Korea. In short, it cannot live without us.

If we believe that ethics is as important as economics, we must demand a higher price for trade with the western world, and that price must be free speech, democratic reforms, property rights, freedom of association, freedom of movement, respect for women and, most importantly, religious tolerance. Those are the foundations of a free society on which our hopes for peace in the middle east depend.

In conclusion, intervention—and I am an interventionist—does not have to mean war. I accept that military action is sometimes unavoidable, but I urge the Government towards a policy of fair trade. If a regime kills its citizens for their faith, Britain should not do business with it. We already refuse to sell most of those countries guns, with the exception of Saudi Arabia, but we should not sell those countries butter either. If a state imprisons minority groups without charge or trial, it should become a pariah state and be excluded from the world economy.

In the middle east, 10,000 children are born every single day. Unless the Arab spring leads to lasting economic and social reforms and protection for minority groups—including minority Muslim groups, such as those in Kurdistan—then the 10,000 children born today are more likely than ever to grow up in a barren region, which has no jobs, no bread and no security. We have to act now with fair trade to pressure those countries into change. That would transform the treatment of Christians and religious minorities around the world and it would be in our national interest as well.

3.27 pm

Mr Edward Leigh (Gainsborough) (Con): I congratulate the hon. Member for Upper Bann (David Simpson) on securing the debate and I congratulate those who have spoken, including the hon. Member for Strangford (Jim Shannon). That was the second speech of his I have heard today, because like him I was torn between this and the debate on the eurozone. Even though that debate is about billions of pounds, this debate is actually more important, although it is in Westminster Hall and the other debate is in the main Chamber. Why? Because lives are at risk and people all over the world are dying.

It is a bit depressing for me, because I have taken part in so many of these debates over the past 28 years and have written scores of letters to Ministers. I claim no credit for that because I, like other hon. Members, have been supported by campaign groups, particularly the Jubilee Campaign. I pay tribute to Mr Wilfred Wong, who for 20 years has helped MPs to raise the plight of persecuted Christians in numerous letters to the Foreign Office, but it is, frankly, a bit of a depressing exercise.

I do not blame the Minister—he has his brief, which he must read out—but so often the answer is much the same. Of course, there are soothing words and of course the Government condemn brutality in any shape or form and believe in freedom of expression and freedom of religion. However, over the years, as the problem has got so much worse, I am not convinced, frankly, that the Government have spoken up enough—I am sorry to have to say that to the Minister. We have real influence in the world. I was very moved by what my hon. Friend the Member for Harlow (Robert Halfon) said as a Jewish person. There is no real comparison, I suppose, between what was happening in the 1930s and what is happening now, and if I am overstating my case, I apologise, but there was the famous case of some Foreign Office diplomat who, when evidence was coming out of Nazi Germany of the persecution of Jews, wrote in the margin of one of the papers, "Save us from wailing Jews." That was an outrageous comment.

I know that the Foreign Office is not like that now; it is not quite the same. Sometimes, however, when one reads replies from our Foreign Office, one gets the impression that there is rather a light touch, and that it does not really want to get heavily involved. I noticed that recently, when speaking to a very senior diplomat who had served at the top level in Iraq and is now an ambassador in Europe. I mentioned the figures that my hon. Friend the Member for Harlow has cited, that the Iraqi Christian population has declined from 1.5 million to 800,000. He immediately said, "No, no, that's not right. It hasn't declined by that much. It's declined from 1.5 million to 1 million, or something." In other words, he was not fully engaged, and I did not get the impression that that had been a priority for him as a top diplomat in Iraq.

I know that the situation in Iraq was appalling; I have been there. I went to northern Iraq and wandered around the Christian villages, something so few of our top people who instituted the invasion have done. I went twice; the first time was to Kurdistan during Saddam Hussein's time. That was a brutal, horrible regime, and I make no apology for it, but at least the Christians had some degree of safety; they were protected. I also went after the end of the regime, and had to listen to harrowing stories. Women, with tears streaming down their faces, sat in a room and recounted how their son and their husband, a church warden in the suburbs of Baghdad, had left home one day to go to church and had been killed in a brutal, senseless, sectarian attack, just because of their religion. What was even more horrific, and absolutely traumatising to listen to, was that some mothers' children had simply disappeared. Can Members imagine that—a child, an 18-year-old daughter, going off to church and never being seen again? That is why I am passionate about the issue, and I make no apology for being so. We should be doing so much more, and our Government should be speaking much more forcefully.

Pakistan has been mentioned. It is our largest recipient of aid. It is a nuclear state and has an elite that massively evades paying taxes. The Pakistani military establishment was probably complicit in harbouring Osama bin Laden, a terrorist who was targeting our people. We are now giving hundreds of millions of pounds to Pakistan's education service. The country has an appalling human rights record, and a dreadful system of blasphemy laws. I just wonder, in all the hours of discussion that will go on between President Obama and our Prime Minister during the two-day visit, in all the hours that will be spent talking about Iraq and Libya, how many minutes will be devoted to the brutal persecution of Christians around the world. None at all, I suspect. Through their aid programmes and their moral force, these people—our Prime Minister, the President of France, the President of the United States of America—have enormous influence.

I believe that there should have been zero tolerance of the persecution of the Jewish people before the second world war, and that now, in the 21st century, there should be zero tolerance of the persecution of anyone. It is not just outright persecution that we are talking about, not just the appalling genocidal attacks that have taken place in Iraq and Nigeria. Nigeria is—as my hon. Friend the Member for Banbury (Tony Baldry) has pointed out—a Commonwealth country and a large recipient of aid, both now and in the past. It is not just these horrific physical attacks; in so many countries there is the absurd situation of a kind of quiet persecution, and I am afraid that that applies to Egypt. I have been involved in numerous campaigns to support the Copts. No one can go out—has ever been able to go out—in Egypt and build a new church. There are all sorts of planning restrictions. The Copts are at the bottom of the economic heap and it is very difficult for them to rise up from there. Mention has been made of Saudi Arabia, which is a so-called key ally, but that country is back where we were in the 18th century, when people were allowed to engage in a minority religion but only in private. Frankly, the situation in Saudi Arabia is scandalous.

In conclusion, I congratulate Members on what they have said today, and I urge the Minister, when he goes back to his Department, to really get a grip of his diplomats around the globe and to use our powerful voice to speak out for the oppressed of the world.

3.35 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a privilege to serve under your chairmanship, Mr Benton. I join other Members in congratulating the hon. Member for Upper Bann (David Simpson) on securing this timely and very important debate, and extend support from the Labour Benches for the principles that he set out so powerfully and eloquently in his opening speech.

The hon. Gentleman spoke about the impact, throughout history, of various forms of fundamentalism, the horrors of which have been touched upon in the debate. The hon. Member for Banbury (Tony Baldry) reminded us of the articles on religious freedom in the United Nations declaration of human rights, and that issue lies at the heart of the debate. We are still learning lessons from events of the past four or five months in north Africa and the middle east, but a lesson for our own policy surely must be that we need a clear consistency of approach to the defence of human rights, including religious freedom, and that favouritism towards certain regimes has undermined our moral credibility on some of these issues, in ways that Members have set out today.

A depressingly large number of countries have been mentioned, and it is difficult in 10 minutes to do justice to all the different horrors that we have heard about. All I can really do is echo some of the things that Members have said about Nigeria, Somalia, Sudan, China, North Korea and Sri Lanka, for example, and say a bit more.

Regarding Iraq, I think that we are all deeply alarmed at the incidents of sectarian violence that have been described today. As a country, we need to use the influence that for obvious reasons we have in Iraq, to promote tolerance and interfaith dialogue. I would like to take this opportunity to echo what the hon. Member for Harlow (Robert Halfon) said about the Kurdish regional government. The Kurdish part of Iraq provides us with some important human rights lessons, and we should especially pay tribute to it for providing a refuge for Christians escaping from other parts of Iraq. The hon. Member for Enfield, Southgate (Mr Burrowes) rightly said that those people should not be displaced but be able to stay in their family homes and practise their religion freely, and we should seek to achieve that. I echo what he said about Andrew White—"the vicar of Baghdad" at St George's Anglican church—who has done such amazing, heroic, courageous work in standing up for the principle of religious freedom for people of all faiths in that city. I also draw Members' attention to the work of the House of Love run by Mother Teresa's Sisters of Charity in Baghdad. The house was initially set up to serve orphans left disabled by Saddam Hussein's brutal regime, and the sisters, who typically come from India and Bangladesh, provide their services to acutely vulnerable children. That is a moving example of the very positive role that religion can play in conflict situations.

A number of Members have talked about Pakistan. I absolutely share their anger at the blasphemy laws and at how they are used and abused, and I pay tribute, as have other Members, to Shahbaz Bhatti, who was the only Christian serving in the Pakistani Government. As such a major donor to Pakistan, we clearly have a responsibility to do more to stand up for human rights in general in that country, and in particular to use our aid and our political and diplomatic relationships to put pressure on Pakistan to defend religious freedom.

The same applies to India. We heard again today about the appalling catalogue of horrors in Orissa. Several hon. Members referred to Iran, a country that we know abuses the human rights of large sections of its population, including lesbian, gay, bisexual and transgendered people, women and minority ethnic communities, including Kurds. The treatment of the Baha'i community in that country is also appalling. Iran targets Christians in the same way that it targets other minorities.

[Stephen Twigg]

I mentioned the Arab spring. Several hon. Members have expressed concern that one consequence of an opening up in some north African and middle eastern countries is that it is easier for extremists to target Christian minorities. I agree with those who have said that the situation in Egypt is of particular concern, as is the role of Salafists and others in attacking Coptic Christians and other Christian communities in that country. I ask the Minister to update the House on the situation in Egypt. What are the UK Government doing to assist the promotion and consolidation of human rights in that country, including the right to religious freedom?

Tunisia might offer a more positive example. I was in Tunisia relatively recently, and it seemed to have a strong commitment to protecting minority rights, including religious freedom, as the country moves towards writing a new constitution and elections to the Constituent Assembly in July. However, it is vital that we maintain a clear watching brief on the Tunisian situation as it develops.

I take this opportunity to draw the House's attention to some organisations doing positive work in the field, both here in the UK and internationally. I am pleased to be acting as a mentor to three students who are part of an interfaith dialogue programme being run by the Three Faiths Forum. Talia, Philip and Sultana are Jewish, Christian and Muslim respectively, and they recently organised a thought-provoking photographic exhibition at University college London on the awful practice and prevalence of human trafficking. I hope that we can showcase the exhibition in the Upper Waiting Hall of the House later this year. It demonstrates that interfaith dialogue can promote the positive values associated with religion and a commitment to universal human rights.

Last week, I returned from a visit, with Christian Aid and the all-party group on the great lakes region of Africa, to Rwanda and the Democratic Republic of Congo. I put on record the positive role played by the Churches and Christian charities such as Christian Aid and CAFOD in those countries, where such horrors have been committed over the past decade or so.

The hon. Member for Harlow asked what role the United Kingdom would play. We must use every lever to promote religious freedom and protect Christians from the increasing violence that we have heard described in this debate. Will the Minister inform us what progress the human rights advisory group established by the Foreign Secretary last year has made on addressing the human rights of Christians and other religious minority and majority groups around the world?

Will the Minister also update the House on the work that the British Government are doing through a range of multilateral institutions to voice the concerns raised in this debate? It strikes me, given that north Africa is part of the Mediterranean region, that Europe has a responsibility to fulfil the values for which it stands by protecting minority rights. The United Nations clearly has a role to play, and we must address the Commonwealth's potential to be much more proactive in promoting the rights of Christians and other religious groups. Many of the countries whose appalling records have been highlighted today, such as Nigeria and Pakistan, are Commonwealth members, and the Commonwealth could do more. The Department for International Development also has an increasingly influential role in many such countries as British aid increases, at a time when many other countries' aid programmes are being cut. What more can DFID do to use its influence to ensure that human rights and religious freedom are protected?

I think that all of us in the House, across parties, have a responsibility to use the institutions of Parliament—the Commonwealth Parliamentary Association, the Inter-Parliamentary Union, Select Committees, all-party parliamentary groups—to promote religious freedom. This debate has been an excellent opportunity to demonstrate our strong cross-party commitment to religious freedom. As the hon. Member for Upper Bann said, we must not pass by on the other side. I congratulate him on securing this debate, and I look forward to the Minister's response.

3.45 pm

The Minister of State, Foreign and Commonwealth Office (Mr Jeremy Browne): Thank you, Mr Benton, for calling me to conclude this debate. It is a privilege to serve under your chairmanship. I congratulate the hon. Member for Upper Bann (David Simpson) on securing this debate on an extremely important and regrettably topical subject. I thank the hon. Members for Banbury (Tony Baldry), for Strangford (Jim Shannon) and for Harlow (Robert Halfon) for their speeches, the hon. Member for Gainsborough (Mr Leigh) for a typically impassioned and powerful speech and the Opposition spokesman, the hon. Member for Liverpool, West Derby (Stephen Twigg), for a typically thorough and thoughtful contribution. The treatment of Christians worldwide and, more broadly, individuals' freedom to worship or practise their own religion or belief without discrimination or persecution is an important topic and of increasing concern given the problems faced by religious minorities, including Christians, in many parts of the world in recent years.

I will start by setting out the Government's policy in this area, for the avoidance of doubt. The Government strongly support the right to freedom of thought, conscience, religion and belief and the right to freedom of opinion and expression as set out in those key international human rights instruments the universal declaration of human rights, the international covenant on civil and political rights and the relevant 1981 United Nations declaration. As my right hon. Friend the Foreign Secretary has made clear on many occasions, the effective promotion of human rights, including religious freedom, is at the heart and core of our foreign policy. All Foreign and Commonwealth Office embassies and high commissions have a responsibility, which is made clear to the heads of mission in every post, to monitor and raise human rights in their host countries. We continue to raise freedom of religion or belief with other Governments whenever necessary. I reassure the hon. Member for Upper Bann and other Members that we are aware of the difficulties faced by Christian minorities around the world, and particularly in middle eastern and western Asian countries. I will deal with those countries with the greatest attention.

The Opposition spokesman mentioned Egypt in particular. In Egypt, where tensions between Christians and Muslims eased initially during the revolution in

February, a number of extremely alarming incidents have recently occurred. Violent clashes between Muslims and Coptic Christians in Cairo on 7 and 9 May left 15 people dead and more than 250 injured. Peaceful demonstrations about those events on 15 May were attacked by unidentified gunmen. The Foreign Secretary condemned the violence in a statement to Parliament on 16 May and called on both sides to resolve their differences peacefully. He welcomed the fact that many in Egypt were appalled by the violence. The EU High Representative for foreign affairs and security policy, Baroness Ashton, also issued a statement on behalf of the European Union on 7 May condemning the clashes.

The UK remains in close contact with the Egyptian Government on the issue and has made absolutely clear the importance that we place on religious tolerance. The Foreign Secretary was in Egypt on 1 and 2 May, raising our concerns about the dangers of extremism and sectarianism in Egypt directly with the head of the Supreme Council of the Armed Forces and the Prime Minister.

The Egyptian Government have shown their intention to punish those who incite sectarianism by announcing on 8 May plans for new laws to criminalise attempts to jeopardise the freedom of faith and attacks on places of worship. We will make sure that we are vigilant in seeking to hold them to account for those commitments.

In Iraq, we remain concerned about the treatment of Christian minorities, and were appalled by the attack on Our Lady of Salvation church in Baghdad on 31 October 2010, which killed more than 50 people, and the further attacks on 10 November 2010, which targeted mainly Christian areas across Baghdad. The United Kingdom remains in close contact with the Iraqi Government on this issue and is committed to doing all that it can to protect the rights and freedoms of all minorities in Iraq. On 10 November 2010, the Foreign Secretary met the visiting Iraqi Minister of Foreign Affairs, Mr Zebari, and raised with him directly the issue of Iraqi Christians. Mr Zebari acknowledged that the protection of Christians was the Iraqi Government's responsibility.

More recently, the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North East Bedfordshire (Alistair Burt), who has responsibility for the middle east, visited Iraq from 22 to 25 November. He met a number of senior Christian figures and raised the plight of the Christian community with the Foreign Minister, the new Speaker of the Council of Representatives, and the President and the Prime Minister of the Kurdistan regional government.

Pakistan has, regrettably, featured prominently in this afternoon's debate. I pay tribute to the only Christian Minister in Pakistan, who was assassinated recently, and join everyone who has expressed regret about that.

Mr Leigh: Are the Government prepared to threaten to cut aid unless there is real progress on the blasphemy laws?

Mr Browne: I share my hon. Friend's despair about some of the abuses of individual freedom and the right to expression, including religious expression, and, specifically, freedom of Christian expression in Pakistan. The Government, however, need to tread carefully, because the reason why the Foreign and Commonwealth Office was separated from the Department for International Development in the late 1990s was to try to decouple considerations about the alleviation of poverty from the Government's overall foreign policy goals. I appreciate that those two may overlap at times, but we need to be cautious about judging the suitability of a desperately needy person to receive aid based on their Government's behaviour in relation to religious subjects.

3.53 pm

Sitting suspended for a Division in the House.

4.8 pm

On resuming—

Mr Browne: Before we broke for a Division in the main Chamber, hon. Members will recall that I was talking about the appalling murder of Shahbaz Bhatti in Pakistan on 2 March. Over recent months, the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North East Bedfordshire, who covers Pakistan, had engaged regularly with the former Minister for Minorities, Shahbaz Bhatti, on the importance of religious tolerance and freedom of speech in Pakistan. Mr Bhatti was a tireless and vocal proponent of those beliefs, and his appalling murder is a blow to those in Pakistan who share his beliefs and to all of us who believe in religious freedom and tolerance.

Following Mr Bhatti's untimely and violent death, my right hon. Friend the Prime Minister has written to express his condolences to President Zardari, and my right hon. Friend the Foreign Secretary, my noble Friend Baroness Warsi and the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North East Bedfordshire, have all made statements condemning his killing. My hon. Friend the Under-Secretary, who deals with Pakistan, is regularly in touch with his counterparts in the Pakistani Government on human rights issues. He will continue to engage with the authorities in Pakistan on these important issues and will raise them with the new Minister for Minorities.

My hon. Friend recently visited Pakistan, where he was able to engage on the issue of religious tolerance with Shahbaz Bhatti's brother, Paul Bhatti, who has been appointed as the Pakistani Prime Minister's adviser on inter-faith harmony and minority affairs. He also had the opportunity to meet religious leaders from across Pakistan as part of the Ministry's inter-faith council. That highlighted how leading political and religious figures in Pakistan feel about religious tolerance, and the need to ensure that all of Pakistan's citizens are accorded their rights under the Pakistani constitution. We will continue to support the Pakistani Government on this subject.

Jim Shannon: Will the Minister cast his mind back to the time of the floods in Pakistan, when the people of Great Britain, through their Churches and through aid, gave a lot of money to help overcome the difficulties in Pakistan? At that time, Christians sent word out of Pakistan back to the United Kingdom to indicate that they were not receiving some of that aid. Will the Minister pursue that matter? It is very clear to me as an elected representative, and to many others, that there is

[Jim Shannon]

deep-rooted discrimination against Christians in Pakistan, which reaches as far as the UK aid that was given to help them as well.

Mr Browne: There were a number of points in that intervention. I pay tribute to all the British people who were extremely generous in their contributions to the victims of the natural disaster in Pakistan. Many of them were Christians or were involved with Christian groups that co-ordinated and led that charitable activity. I share the hon. Gentleman's deep alarm—perhaps the word "alarm" is not strong enough—and profound anxiety about the circumstances of some Christians in Pakistan, and the fact that they cannot worship as freely as they would wish. I will certainly convey to the Minister with geographical responsibility for Pakistan, my hon. Friend the Member for North East Bedfordshire, the points that the hon. Gentleman has made. As I was explaining to the Chamber, my hon. Friend is extremely committed, on a personal basis, to the issue of religious freedom of practice for Christians and others. I know that he will, with great sincerity, want to take forward the exact agenda advised by the hon. Member for Strangford.

Rehman Chishti (Gillingham and Rainham) (Con): Also in Pakistan, Governor Salman Taseer was shot dead for raising the case of Asia Bibi, a Christian caught up in these draconian laws. Will the Minister urge the Government of Pakistan to release Asia Bibi and all the others imprisoned under those laws, so that they can practise their faith?

Mr Browne: I cannot give my hon. Friend that commitment, not because I necessarily disapprove of the view that he expressed, but because that is not a commitment that I am in a position to give this afternoon. All I can undertake to do is ensure that his views are heard clearly in the Foreign Office, and that they are taken seriously by those who are in a position to make the relevant decision.

Other countries have been brought to our attention this afternoon. Nigeria continues to experience significant inter-communal violence, particularly following the presidential elections last month. Both Christian and Muslim communities have suffered terrible loss of life in recent years as a result of violence driven by underlying social, political, economic and religious factors. We have made it clear to the Nigerian Government at ministerial level that the perpetrators of those crimes must be brought to justice. The Minister with responsibility for sub-Saharan Africa, my hon. Friend the Member for North West Norfolk (Mr Bellingham), has raised this issue directly with the vice-president. Our high commissioner has raised it and related subjects on several occasions.

Iran has come up as a subject, rightly and understandably. There is significant cause for concern about the treatment of Christians and other minority religious groups in Iran. That continues to be a country of high concern to the Foreign Office. We express that view whenever and wherever we can.

Briefly, before I draw my remarks to a conclusion, I was asked by the hon. Member for Liverpool, West Derby to talk about the Foreign Secretary's advisory group on human rights, which identified religious freedom as a key human rights issue at its first meeting in December. Following on from that, a programme of work based on freedom of religion has been agreed, including a Wilton Park conference in July, to discuss promoting religious freedom around the world. That will be attended by my hon. Friend the Member for North East Bedfordshire, along with a range of senior religious leaders. The conference will identify how the international community can strengthen its ability to protect religious freedom. It will also seek to build new partnerships between Governments, NGOs and faith groups.

Tees Valley Rail Transport

4.15 pm

Ian Swales (Redcar) (LD): Tees Valley is a distinct area of the country with a population of more than 750,000 people. It is well defined, with the sea to the east, 20 to 30 miles of open County Durham countryside to the north, the dales and Pennines to the west, and a vast area of sparsely populated north Yorkshire to the south. It has long been defined as a coherent economic area. It was no accident that the Tees Valley local enterprise partnership was quickly established, as a similar body already existed. Despite the substantial population, the area has a slight identity crisis. It is often referred to as a city region by policy makers, but it contains no cities or even one dominant town. Middlesbrough is currently applying for city status.

Steam-powered passenger rail transport actually started in Tees Valley between Stockton and Darlington in 1825, hauled by George Stephenson's engine, "Locomotion". Some 185 years later, we cannot even go directly from Stockton to Darlington on a train. There is a passenger rail system, but it is poorly co-ordinated, has insufficient trains and badly needs investment. New station stops are needed to reflect developments since the lines were built. This has been recognised for many years by the local and regional planning authorities. Finally, in 2009, a first tranche of investment in a Tees Valley metro system was approved. However, after less than £5 million was drawn down, the remaining £24 million was postponed by the present Government. The importance of the project to the area was shown by the fact that a first phase was resubmitted to round 1 of the regional growth fund. Unfortunately, the bid was unsuccessful.

My speech today will cover three main areas: the need to get a good passenger metro system in Tees Valley; the importance of freight investment; and the need for a long-term vision, including further use of existing lines and possible new lines. Settlements in Tees Valley are there mainly due to manufacturing industry. Decline of industry in the last few decades has left much of the area at the wrong end of all the socio-economic league tables. For example, a study by the BBC and Experian in 2010 looked at 324 areas of the UK in terms of economic strength. It placed Hartlepool borough 314th, Redcar and Cleveland 319th and Middlesbrough, arguably the largest town in England, in last place at 324th. Middlesbrough also has the third lowest number of businesses per thousand residents in the country. It is precisely because the area has been performing badly in recent years in respect of socio-economic indicators that there is a need for a modern, long-lasting rail network to aid regeneration.

There are many promising signals. Teesside university was UK university of the year for 2009-10, and that has helped fuel a rapid growth in digital and media industries. Teesside remains a key UK centre for process industries and is emerging as a major centre of green technology research and manufacturing. Teesport is a thriving, growing port. Darlington is a growing commercial centre, aided by the presence of the Student Loans Company and Teachers' Pensions. If we are to restore the north-east to the economic hub it once was and can be again, improving rail infrastructure is vital.

Existing passenger rail in the core area is in the shape of a cross, with a north-south Hartlepool to Nunthorpe line intersecting the east-west Darlington to Saltburn line at both Thornaby and Middlesbrough. This area should be the first target of a metro system. There are 21 stations in the core area. Some are very poorly served, including the one near the airport at which only one train stops every week. Despite the patchy service, usage has grown over the past 10 years. More than 2 million people a year use Darlington station, which gives access to the east coast main line and other national services.

James Wharton (Stockton South) (Con): My fellow Teesside MP—I still do not like "Tees Valley"—has already touched on a key concern for our part of the north-east, which is the future viability of our airport. An effective rail transport system, making proper use of the station at the airport, would be an important piece of the puzzle in bringing Teesside airport—as I still insist on calling it—back into use and making it successful once again. The airport, which is on the boundary of my constituency, has a new owner, looking to do exciting things. I congratulate my hon. Friend on securing the debate, and I hope that the Minister will consider that, as part of an integrated package, rail transport could also revive our air transport links.

Ian Swales: My hon. Friend's intervention is timely, because I am about to talk more about the airport. I fully support his comments. It is essential that the airport is better served, and a frequent light rail service operating in the core area would help to change the economic fortunes of Tees Valley.

The use of rail services has continued to grow, despite the patchy service: last year, footfall increased by just less than 50,000; and in the past 10 years, the average increase in footfall overall has been 58%. Refurbished stations have shown the biggest increases, some in excess of 100%. The increase in passengers, along with huge further potential demand, means that new lines, trains and infrastructure are needed to meet the needs of residents and businesses.

Investment in existing stations is vital. For example, establishing a proper link to the airport is vital: Durham Tees Valley airport, or Teesside as it is still shown on departure boards all over the world, must be the passenger airport in Britain worst served by public transport, but the train line passes just half a mile from the terminal. Eaglescliffe station now has a main line service to London, but no information displays and only two small bus shelters for passengers. Redcar station needs investment as a gateway to the town and the new college and civic developments, and Darlington station needs investment to improve access to new educational and economic developments. The Redcar and Darlington schemes were included in the regional growth fund round 1 bid. The last new station in the area was Longbeck near Marske-by-the-Sea in 1985.

There are clear possibilities for further new stops on the existing lines. Some examples include Teesside park, for access to the new shopping area and the Tees barrage leisure facilities; Middlehaven, for the major new commercial developments and the Riverside stadium, home of Middlesbrough football club; and the James Cook university hospital, which is the major acute

[Ian Swales]

hospital for the area. Traffic to and from the hospital is a big source of congestion on one of the main access roads to Middlesbrough, and there are chronic parking problems at the site. Providing a good rail service would help to reduce such problems. The existing lines run close by, and a new station for the hospital was also part of the initial regional growth fund bid.

A number of other residential and commercial developments are current or planned along those routes, opening further possibilities for new stations, such as at Morton Palms, Darlington, and The Ings, Redcar. A further key need is to ensure that the new enterprise zone recently announced by the Government is well served by public transport. It is almost certain to be close to those rail routes.

I will now move on to freight. Teesport has recently been ranked variously as between the second and fourth largest port in the country, depending on the amount of industrial activity in the area. As well as serving the bulk process industries and being an import terminal for cars, Teesport has a rapidly growing container business, with giant new warehouses serving Tesco and Asda. The excellent facilities at Teesport mean that process industries inland also use the import/export facilities, and such industrial materials normally require shipment by rail.

The port has been successfully driving economic and employment growth. For example, 1,100 jobs have been created since 2007 and further exciting developments are planned. However, the existing connecting rail facilities need upgrading—for example, to provide clearance for modern 9-foot 6-inch containers—which is strategically important for the country. A successful Teesport backed by good rail facilities will help to reduce lorry use by millions of miles, bringing economic and environmental benefits. As part of the regional growth fund round 1, a gauge clearance project was submitted, which is vital to continuing the rapid, port-based economic growth. I hope that the Minister will recognise the importance of getting more bulk freight off the roads and on to the railways.

The longer term vision includes more use of lines joining the core area and possible new lines. To the west, Darlington connects to Bishop Auckland via four other stations, including the former rolling stock manufacturing town of Shildon and, following the Hitachi announcement, the new rolling stock manufacturing town of Newton Aycliffe. The line from Eaglescliffe to Northallerton passes through the large population centre of Yarm-on-Tees, which I believe is in the constituency of my hon. Friend the Member for Stockton South (James Wharton). Beyond Nunthorpe, the line passes into the north Yorkshire moors and on to Whitby. Services on that line are always likely to be more of a leisure activity, but the first station is Great Ayton and most people in that area work in Tees Valley.

Finally, beyond Saltburn, part of the old Yorkshire coast line to Scarborough still exists as a freight-only line as far as the Boulby potash mine. The potash mine received money to expand in the regional growth fund round 1 and is a major local employer. I have recently been approached by an operator who is considering restoring a passenger service along the line to include the east Cleveland settlements it passes through, including North Skelton, Brotton, Skinningrove and Loftus. Use of all such existing lines to better connect people to the core Tees Valley services and opportunities should be part of our vision.

Serious discussion is also going on about reopening the old Nunthorpe to Guisborough branch line. Although the track has been lifted, the route is virtually intact as a walkway, and Guisborough has expanded to be a large centre of population, with most of the people working in Tees Valley. They are a large contributor to the heavy south-to-north road congestion at peak times. A rail service would reduce the current pressure to invest in new road solutions—some road-building proposals even involve taking land from the National Trust at Orenby hall.

More speculative would be the construction of other new lines and a Tees crossing nearer the river mouth. Redcar to Hartlepool is only seven miles as the crow flies, but the need to go a long way upriver to cross by road or rail means that their local economies are largely disconnected. A Tees crossing remains a dream for many in the long term. Where new lines are not economical, better co-ordinated bus services are needed to link centres of population to the rail network, for example from the Greater Eston area.

I appreciate that investment requires funds, but I urge the Minister to consider carefully the issue of fares. The UK already has some of the highest fares in the world. I live close to Redcar East station and, to travel one stop to the centre of town, the fare is only slightly less than a taxi fare—for just two people, a taxi would be the cheaper option for most short journeys locally. For long trips, we risk incentivising people to do the wrong thing. For my trip to Parliament each week, it is already cheaper to drive at 40p a mile than to buy a standard class open return train ticket. I hope that the Minister will recognise that fares must remain reasonable, as mentioned in the coalition agreement, and that continued public investment in the railways is in the country's interest. That is the view taken by Governments in almost every developed country.

As I hope that I have illustrated, it is vital that Tees Valley receives the short-term investment it desperately needs to improve passenger and freight rail transport. Investment without a long-term vision, however, will not deliver the results that the people throughout the region want, so it is important that a long-term strategy is put in place to manage investment over time and to build the infrastructure needed. Tees Valley is an area with enormous potential to drive major growth in the UK economy. I hope that this debate has helped further the cause for improving Tees Valley rail transport, and I strongly urge the Minister to support the upgrades that are so badly needed.

4.29 pm

The Parliamentary Under-Secretary of State for Transport (Mike Penning): It is a pleasure to serve under your chairmanship, Mr Benton. I pay tribute to my hon. Friend the Member for Redcar (Ian Swales) for securing this important debate. Having a debate on the day before a recess is always dangerous, but he managed to encourage some of his colleagues to attend.

I was in Teesside only recently. I went there by train from London to visit Teesport, which comes within my portfolio. I have been asked to respond to the debate because my hon. Friend the Under-Secretary of State for Transport, the hon. Member for Lewes (Norman Baker), whose portfolio covers regional and local transport, is not here. He has asked me to apologise for his absence.

The points that my hon. Friend the Member for Redcar raised cover myriad modal shifts in how to get passengers and freight off the roads, and how better to use available facilities. It was fantastic news for the region when the Tees furnace was reopened, and certainly the new owners, whom I had the privilege of meeting, were thrilled. What was obvious when coming in by train was the unbelievable number of sidings that have not been used for a considerable time. I am the Minister with responsibility for freight, on whatever mode, and it always hurts to see that investment sitting there unused. It may have been made many years ago, but the concept was right.

The port, which is under new ownership, has a huge footprint, and not all of it has been used as well as we would like. There are contamination issues, as I am sure my hon. Friend is aware—the new owners of Teesport, however, have good and imaginative ideas, especially in some of the areas to which my hon. Friend alluded—such as problems relating to moving larger containers around. A particular issue in this country is that we cannot move many of them on our canals, which are a great asset, but difficult to use.

My officials have written a brilliant speech for me, but if I read it out, which I am sure is what they would like me to do, I would fail to pay tribute to the contributions that we have heard this afternoon. Investment for the area was planned before the new coalition Administration came to power, and before we realised how bad the economic situation is. I will not go through how bad it is, because everyone knows the situation. The £4.9 million that was drawn down has been well spent, and the stations at Hartlepool, Eaglescliffe and Thornaby have benefited.

I am pleased to hear that the new owners of the airport have sensible ideas for expansion, and how to increase their market share and put the airport on the map in the UK, but that will require investment. They will have to look at their business plans, and create a market that drives people to use it. I was fascinated to hear private companies saying that they would like to put passengers back on that line. They are obviously thinking of doing that because there is a need. The Government may help and, as my hon. Friend knows, two funds have been drawn down.

Sadly, Tees Valley Unlimited was not successful in the first tranche, because it needed to be much better at proving what the economic benefits in terms of jobs would be from drawing down from that fund. Tees Valley Unlimited has discussed the matter extensively with my officials. They have met eight or nine times recently, and I urge them to have further meetings, because the key to both funding plans is that the community comes together, and that a proper business plan is drawn up to create the right climate for further investment in the area. I will not go into the semantics of what it should be called. I have enough problems deciding when to call my football team Spurs or Tottenham Hotspur, and my town Hemel or Hemel Hempstead. It is for local politicians to discuss the matter over a pint on another occasion.

However, it is important—I am sure that this has been discussed—that the area is branded in the right way so that investment comes to the area, and there is no confusion about that brand. The first time I flew to what was Speke airport in Liverpool, I looked for Speke on the departure board, but it had been renamed John Lennon. I had no idea that I was going to Liverpool. When a brand name is used for a community, it must be what the community is looking for. I am sure that the new name was discussed in great depth before it was introduced, but whenever I spoke to people in that part of the world, and especially when I was at Teesport, there was confusion. When I quoted my brief, they did not understand what I was talking about until I talked about Teesport, the Tees area and so on.

There is real scope for local authorities to come together, and to consider joint bids. It is crucial as we go forward with the localism agenda, to which the Department for Transport is fully committed, that local authorities are not parochial and say, "This is our borough, and we won't join together." They must have confidence in their area and say, "We know what's best for our community, and exactly how to generate jobs and go forward." Four local authorities would probably need to join together to formulate a plan and to give them confidence to return to the Department for Transport, as well as to other Departments, because transport will not be the only issue.

Ian Swales: I want to pick up the point about local authorities. Five are involved: Stockton, Hartlepool, Middlesbrough, Redcar, Cleveland, and Darlington. The Minister can be confident that they are speaking with one voice on such issues, because Tees Valley issues and transport infrastructure cross all five. One reason why the local enterprise partnership got going so quickly was that it was heavily backed by those five local authorities.

Mike Penning: I am new to this area, and I may not be back if I make a mess of it, but my brief refers to the four Tees Valley local authorities. If that is wrong, I will arrange for my Department to write and apologise. When talking about local areas, branding is important.

In the next six months, passenger transport executives, groups of local authorities, and local enterprise partnerships should come together to discuss whether they want to take greater responsibility for such services. That is crucial when discussing where they are going, and how. There will be some central Government funding, but not as much as we probably all want, but local communities, especially through local enterprise partnerships and so on, will have much more say in what is done, and there will be an early opportunity to shape the future and destiny of local rail services. We have been discussing bits and bobs, but the discussion should be formalised with a shopping list of what should be done first, what should be done second, and what should be done third.

If we read my hon. Friend's speech tomorrow morning, and the points that he made—I apologise for this and I am not being critical—will we know what the priorities are, and what needs to be done in the short term, the mid term and the long term? Communities and LEPs must come together to decide that. I am not being critical, but that must be done.

[Mike Penning]

On cost, the McNulty report, which was commissioned by the previous Administration, addresses fares, and the fact that, if we are not careful we may jeopardise the great success—this is not party politics—of the railways today. There are issues about capacity and cost, and whether we are driving people off the railways and into their cars. That is important; we must address it in the franchise agreements and remove bureaucracy. McNulty acknowledged that the way in which the railways operate involves a huge amount of bureaucracy and cost, and in international terms they are very expensive. He estimated that £1 billion of savings could be made without damaging infrastructure, while at the same time encouraging people to use the railways. That will be a difficult task, but anyone who has had anything to do with railways—I am involved purely in freight, which is more successful now than it was—must address the fact that the state can provide only a certain amount of money for new lines. There is only a certain amount of railway capacity for the freight industry, and we must look carefully at how we can encourage a better modal shift and not have so much long-haul freight on the railways.

On today's network—without High Speed 2 and the lines to the north-east and north-west, which would release more rail capacity—even if we increased rail freight to full capacity we would still struggle to get freight off the road. One of the huge successes in the Teesport region has been made by Asda and other supermarkets that are building what I consider to be the beginning of a renaissance in coastal shipping facilities—I apologise for naming Asda, but it is the store I visited. Bigger and bigger box ships are coming into big, deep-water wharves, but our roads do not have the capacity to move those goods around.

The most efficient way of moving freight anywhere in the world is by sea. We are a maritime nation with over 90 ports in state and trust ownership, yet we do not properly utilise those ports and their capacity. At the Asda hub, all the products that arrive come in by sea. The distribution is then worked out, and followed by what Asda describes as a limited "road bridging" system. That system is beginning to be replicated around the country. I was in the north-west the other day at Stobart's rail hub. Stobart has developed such a system, not because it wanted a rail hub, but because its clients—Tesco, Sainsbury's, Asda; we could name all the supermarkets but I probably should not—have said that they want goods to travel shorter distances. That area is developing.

The rail industry is underused. We have spoken about lines that need to be better utilised, and the railways are a huge facility that we could use to create a modal shift in transport locally through the hubs. The Asda scheme has been a great success, and it is looking at expanding it. It is a badge of honour for the local community and local authorities in that part of the world to facilitate the scheme and understand the needs and demands of their communities. We should also use other lines, especially if we can deal with the problem of bridges, and I know that discussions on that are taking place.

At the same time, we must be honest about what is likely to come in and out of the ports. As my hon. Friend said, if a line is working, it is crucial that it is used. It is much cheaper to use that line in a better way than to rebuild a line or put track back down. A lot of residents—I know this from my constituency—will have moved to live close to a railway line after the track was removed, and there will be an interesting debate about whether those lines should be put back. Those people no longer live next to a railway and without doubt, having a railway at the end of the garden or in the community impacts on people's lives. That debate would be interesting; it would not be wrong to reopen the line, but such matters take time and must be managed correctly in the communities.

The use of Westminster Hall for a debate such as this is important. Concerns and ideas can be bounced into the arena, and Ministers will respond. I am conscious that I have not answered all the points raised by my hon. Friend the Member for Redcar, and by my hon. Friend the Member for Stockton South (James Wharton) in his intervention, but the Under-Secretary of State for Transport, my hon. Friend the Member for Lewes, will write to them and answer all their questions. If a further meeting with a Minister is needed, the door will be open.

Land Stability (Ironbridge Gorge)

4.44 pm

David Wright (Telford) (Lab): It is a pleasure to see you in the Chair this afternoon, Mr Benton, and to see the Minister in his place. Over the past 12 months he has become used to responding to my Adjournment debates.

The Ironbridge gorge was designated as a world heritage site in 1986 and now ranks in the "Premier League" of heritage sites across the world. It is a living, working community with approximately 4,000 residents, and 200 businesses that employ about 1,500 people. The gorge attracts about 750,000 visitors per year, generating about £60 million of the £110 million annual tourist spend within the borough of Telford and Wrekin. The world heritage site includes 250 listed buildings, seven statutory ancient monuments, including the iconic iron bridge, 10 museums and two sites of special scientific interest. It is an incredibly important asset, not only for this country but for the world.

Telford and Wrekin council has been instrumental in assessing the problems of land instability in the gorge in line with the objectives of the world heritage site management plan, and it has completed a number of studies, ground investigations and stabilisation schemes in the gorge. I commend the council for its work, and I particularly want to place on record my thanks to Neal Rushton, who has worked incredibly hard on the site over recent years.

Approximately £16 million has already been spent on addressing land stability problems in the gorge. The problem is that that is not enough, and a further £80 million of investment is needed. That was identified in a cost-benefit analysis conducted by the local authority in partnership with a number of other players. The Government are aware of those studies, and have supported the approach taken by the council over recent years.

Land instability in the Ironbridge area is not a new phenomenon and dates back to the formation of the Ironbridge gorge. The geologically young valley structure is still developing through natural processes, and both sides of the gorge are gradually slipping down towards the River Severn. The local community has lived with the impact of land instability and the problems it causes for many years. That instability manifests itself in damaged roads and footpaths, collapsed retaining walls, severed services, and occasional major landslides that damage the structure of properties within the gorge.

Numerous documented landslides have occurred in the gorge over the past 250 years, and a review of various records has been carried out to collate information on the magnitude, distribution and frequency of the principal events. Those events have varied widely in location, scale and effect. Landslides have taken place throughout the gorge, from Birches Coppice in the west to Jackfield in the east. The events have occurred within undeveloped and built-up areas alike and they range from local collapses of individual retaining walls or parts of embankment slopes, to wholesale failure of large areas of valley sides. The 1773 landslide led to a total blockage of the River Severn. Where landslides have occurred in open ground, relatively little damage to property or infrastructure has occurred. In built-up areas, however, even medium and small landslides have had a significant impact, leading to the demolition of numerous properties throughout the gorge and the loss of roads and other services.

Until recently, our understanding of the nature and extent of instability in the gorge was quite limited. Over the past 10 years, however, a number of significant studies and investigations have been undertaken and have provided a much clearer understanding of the causes and pattern of land instability in the area. The work undertaken to date has included the following elements: the stabilisation of Jiggers Bank, completed in March 2002; the world heritage site land instability study, completed in February 2003; ground investigation work at Jackfield, Lloyds Head and the Lloyds in January 2005; the Ironbridge and Coalbrookdale ground behaviour study in January 2005; and the production in 2004 of an emergency plan in conjunction with the emergency services and other agencies aimed at addressing worst-case scenarios. That plan is regularly reviewed and updated. The latest version was produced in 2010 and was used in a multi-agency exercise in the gorge in November of that year.

An instability pack outlining the issues in relation to the world heritage site was distributed to residents of the area, and part of the council's webpage is dedicated to redistributing updates about what is happening in the gorge. That has been taking place since February 2005. There was a three-day drop-in session to raise awareness of the issue among members of the public and to provide an opportunity to ask questions. That, too, took place in February 2005.

Ongoing surface and subsurface monitoring is examining the speed, amount and direction of movement. That work has been under way since 2001. Stabilisation of the Lloyds phase 1 site, a 165-metre-long section of Lloyds road in the vicinity of Lloyds cottage, which was the site deemed to be at greatest risk, was completed in August 2007. Stabilisation of the Lloyds phase 2 site, adjacent to Lloyds phase 1, was completed in December 2008, as was stabilisation of the Lloyds Head site, on the opposite side of the river to Lloyds phase 1 and 2, where ground movement in April 2007 led to closure of the road. Stabilisation of a local landslide at the Wynd, Coalport road, following a period of excessive rainfall, was completed in December 2008. Additional ground investigation and the installation of monitoring instruments in the immediate area around the iron bridge and within Jackfield was also carried out at that time.

It is important to understand that we have carried out a comprehensive assessment, involving a range of partner agencies, of what is happening in the gorge and we have taken strategic steps to improve the situation as funding has become available. We now need additional resource to carry out further work to protect the world heritage site and properties on the site and to ensure that we continue to have a strong and vibrant community in the gorge.

I am pleased to say that a dialogue has remained open and positive between Government Departments and the council and that a plan for future work has been developed and an estimate prepared, identifying a need for further works with a total cost of about £80 million. That would address and manage the issue immediately and within the coming 10 to 15 years. The plan reflects the risk assessments and recommendations in the reports completed to date.

[David Wright]

So what do we need to do next? As I said, approximately £16.7 million has already been spent to address instability in the gorge, but there is currently no funding to carry out any further investigation or remedial works. I believe that the Government have a responsibility to ensure that we have investment in the gorge to sustain the world heritage site and the community that lives there. We are signatories to the UNESCO world heritage site convention, which requires the Government to ensure that that site is protected. It falls to the Government, in partnership with the council, to produce proposals to ensure that further ground stabilisation works are undertaken.

I think that, based on the investigations and monitoring carried out to date, and in line with the cost-benefit analysis, the council believes that the Jackfield area and, in particular, Salthouse road needs to be the next area targeted for remedial works. That area is showing the greatest movement. I think that the Minister knows the area. If he drives along the road, he will find that it is more like a rollercoaster than a road, because the movement is so significant. In some areas of the gorge, service pipes must be laid overground rather than underground, because fracturing of service pipes would be so extensive if the pipework were laid underground that it would have to be dug up again and maintained within months. We are talking about serious levels of movement and a serious impact on the gorge and the lives of the people who live there.

There is significant structural damage in the Jackfield area. That has occurred over many decades. I understand that the budget for that first element of work would be about £20 million. It would be very good if we could start to see progress on the first phase of work down at Jackfield. Clearly, we would need to have further discussions with the Government about where we should go over the coming years. I am quite open about this. I have no axe to grind in terms of which Government are in power. I have been campaigning on the issue for a number of years as the local MP. It is the kind of issue that we bring up as a local Member of Parliament, a constituency MP, because it is important to our community.

It is interesting that we have had several ministerial visits over the years. We have had a positive dialogue with Government. That is why we have already seen significant investment in the area. What we need to do now is to work together in partnership. I raise this, and I look directly to the Minister, in a spirit of partnership: we need to get this right not just for the residents of the gorge, but for the future of the nation in terms of protecting its world heritage sites.

Land instability constitutes a major risk to the fabric of the gorge and a risk to the health and safety of inhabitants of the area and visitors alike. Immediate investment is needed to implement a series of stabilisation schemes along with further investigation and monitoring to deal with the problems proactively. The cost-benefit analysis evidences the appropriateness of such an approach and the financial benefit to be gained by being proactive. Further funding is needed now. We have a duty, collectively, to protect that environment not just for the residents who live there now—although clearly that is very important—but for future generations who will want to visit the gorge and live in it in the years to come.

4.56 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Robert Neill): I thank the hon. Member for Telford (David Wright) for raising an important issue and for the manner in which he has done so. He is right to say that he and I have had the pleasure of debating the issue before—and it is a pleasure to be able to do so again this afternoon with you in the Chair, Mr Benton. The only thing that is not a pleasure to me and the only thing on which I will take issue with the hon. Gentleman is his admittedly accurate description of Ironbridge gorge as being in the premier league of world heritage sites. He will know full well that I am a West Ham supporter and that was a particularly painful analogy for him to have drawn, albeit an accurate one in terms of the importance of Ironbridge gorge. It is a huge asset to this country, and the phrase that he used accurately describes its standing. The Government wish to see it preserved as much as anyone, because it is an immensely valuable part of our national heritage.

The hon. Gentleman set out the history and background in a characteristically well informed way. We are on common ground when it comes to the importance of the gorge and of finding a resolution to what is a difficult problem because it is ongoing and arises from geological causes that are not easy for any individual agency to deal with. He rightly set out the significance of the gorge. I will not repeat in detail what he said, but he was absolutely right to refer not only to its world heritage site status, but to its importance to the local and the wider economy in terms of jobs, its status as a significant attraction and its considerable tourism potential. We take that point very seriously.

It is right to observe that the gorge has suffered from and continues to experience land instability. I am grateful to the hon. Gentleman for setting out in some detail the history of the problems that have arisen. By their very nature, they are the responsibility of a number of Departments and agencies. The landholdings in the world heritage site are diverse. Some are in the public sector—some were originally inherited from the old Telford development corporation, some are with the Homes and Communities Agency and others are with the borough council—and others are privately owned. However, the geological problem that causes the problem is no respecter of who owns the land, nor of the statutory responsibilities of particular agencies. A cross-agency approach is particularly important in this instance, and I concede that it sometimes requires more behind-the-scenes work to get a proper alignment, but the Government are committed to achieving that.

I realise that threats of this kind are sometimes beyond the means of the local communities where such sites are located, and the hon. Gentleman made that point fairly. Equally, one cannot simply say that the whole of the problem should pass to the Government. We have therefore been working constructively, as the hon. Gentleman said, with the local council to find together an achievable solution.

The position is this. We are now at a stage where it is realised that a programme of work needs to be undertaken over a number of years. As the hon. Gentleman said, that is because it is a comparatively new geological feature and ground movement continues all the time. He rightly identified the associated problem of flooding as well as that of land instability. It has therefore been necessary to undertake a thorough technical evaluation and stabilisation programme. The scientists advise that it is unlikely that we will find a complete solution because of the geological youth of the area, but we can do much, working together, to mitigate the worst of the risks.

My Department is charged with co-ordinating the Government's response and has been in regular touch with Telford and Wrekin council. It considers that the risk of land instability and the resultant flooding continues to be serious, particularly the risk of a slip into the Severn and consequent damage to life and property. Initial estimates suggest that some £80 million over a period of years will be required to carry out the stabilisation works that are believed to be necessary. In consequence of that, the previous Government commissioned consultants to study the matter. They concluded that although the risk of an imminent major event was not high the risk nevertheless remained, and it is exacerbated by the continuing ground movement and the heavy rain and flooding to which the hon. Gentleman referred.

The scientific conclusion is that, without stabilisation, the gorge would suffer a major slippage, but the complex factors involved make it difficult accurately to predict the timing. It has therefore been recommended that the problem should be addressed through a structured implementation plan, using a risk-based approach; that will be supported by a rolling programme, with a smaller-scale investment of approximately £50 million at a rate of about £2.5 million to £5 million over the next 10 to 20 years. There is a commitment to dealing with the stabilisation programme.

The assessment by the consultants and partners clearly shows that the problem of instability creates a threat to homes and lives, to the local transport infrastructure and to the integrity of the world heritage site and tourism. The designation of the gorge as a world heritage site means that there is a requirement for action to be taken to conserve and protect the site. The range and mix of impacts has required us to adopt a cross-departmental approach. In that respect, one difficulty is intervening to get the appropriate agencies to work together. We seek to bring the various legitimate interests together.

As part of the comprehensive spending review, the interdepartmental working group considered the matter. It recently finalised its assessment, and the Treasury has agreed to contribute to further land stabilisation works in the gorge on behalf of the Government, via my Department. The proposal is that it should be done on a shared funding basis, with the Government funding 60% and the local authority 40%. It is a condition of the funding that it is directed to the highest priority needs, based on independent scientific and technical assessments.

Senior officials from my Department spoke to councillors shortly before the local elections, but because of the local government purdah period there has been a hiatus in activity. There was a meeting between departmental officials and the previous leader of the council and its chief executive, which was very constructive. Despite the change of control in Telford and Wrekin, I assure the hon. Gentleman that my officials stand ready to meet the new leader of the council and his team, the chief executive and appropriate officers to continue those discussions. As the hon. Gentleman rightly says, there is no party interest; we want to see the matter resolved regardless of any party political considerations. So far, the Government and the council have dealt with everything on exactly that basis, and we stand ready to continue in the same manner.

To access the funding, we need to see a proposal from Telford and Wrekin council that meets those conditions. I understand that the annual meeting of the council to form a new administration takes places on 26 May, and I am sure that the new administration will make it a priority to contact the Department. We are happy to progress as swiftly as we can.

David Wright: It is good news to hear that the Government are looking to come forward with a funding package. There are clearly difficulties with local authority expenditure, and there is great pressure on the local authority's budget. I hope that the Minister will confirm that over the coming months the council can consider how to find matched funding or how it can phase such funding, given the assets that the council controls, to find something that will work. I hope that he is willing to have a dialogue with us about how it might be put together. I welcome the Government's general commitment that the problem has to be dealt with, but we need to consider the nuts and bolts of paying for it.

Robert Neill: The hon. Gentleman makes a perfectly fair point. My officials, and I if necessary, will be happy to discuss the details of matched funding. I welcome the willingness that the council has shown in engaging in that discussion. We accept that these are exceptional circumstances, and it is right that the Government should make a contribution; it is obviously sensible to have matched funding, and I am more than happy to talk about the most constructive way forward.

I hope that the hon. Gentleman accepts that we have endeavoured to respond constructively. It is always frustrating for those involved in such situations that councils and the Department have to go through such lengthy technical appraisals, but they are necessary to ensure the right outcome. The commitment of working together and sharing the objectives and costs can offer a stable and deliverable way forward, and we all wish to see this unique site protected and preserved. We are happy to continue working in a constructive manner with the hon. Gentleman, other local Members of Parliament and local councillors.

Question put and agreed to.

5.8 pm

Sitting adjourned.